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98518

SUPPLIED
FOR THE
PUBLIC SERVICE

1952

E

EASTERN DEPARTMENT

PALESTINE

EE. 18210/1

F.O. minutes
Mr. P.R. Olivier.

21st December 51.

R. 9th Jan. 52.

Palestine Conciliation Commission –
Compensation payable to the Arab Refugees by Israel.
The final figure assessed by the Commission is £.P. 120 million.

Last Paper

EE. 1826/46 (1951)

References

98518

(Print)

(How disposed of)

D(H) Mr. Evans UKDel Paris from Mr. Bowker 8th Jan

(Minutes)

See minutes 11/1

(Action completed)	(Index)
21/1	F. 3/6

Next Paper

37330

Entd E.

EE 18210/1

E

PALESTINE CONCILIATION COMMISSION: COMPENSATION FOR REFUGEES

Flag A

We have now received the full report of the Palestine Conciliation Commission, the conclusions of which have already been ~~studied~~ considered. The only additional point of substance is that concerning the amount of compensation held by the Commission to be payable to the Arab refugees by Israel (paragraphs 35 - 42 of the Report). The final figure assessed is £P. 120 million (the Palestine £ being reckoned at parity with the £ sterling) subject to minor adjustment dependent on the estimated value of property which the refugees were able to take with them and on the value of "those categories of movable property which do not lend "themselves to global valuation" (the meaning of which is somewhat obscure).

2. Israel, before the above figures were made known, had indicated her willingness to discuss the payment of compensation with the Commission, making the reservation indicated in paragraph 65 of the Report. We may, I submit, concede that Israel is in no position to pay £120 million forthwith and that it will be necessary to find the money elsewhere in the first instance. It would, however, be unwise to admit that Israel is entitled to set off against the sum otherwise payable counter-claims arising from alleged Arab war guilt and war damage ~~or from losses incurred by Jews who left Arab countries after the hostilities~~. Apart from the difficulty of determining war guilt, it is doubtful if the deterioration resulting from war damage in any way balances the increase in the value of property in Israel since 1949, since when, it should also be noted, Israel has enjoyed the usufruct of that property. ~~Also, if we are to make Israel payment conditional on e.g. the payment by Iraq of compensation in respect of Jewish refugees, we might as well say that Israel's claims against Germany ($1,500 million) must await the payment/....~~

RECEIVED IN C.B.
- 9 JAN 1952
SENT TO DEPT.

payment by Israel of the Arab refugees' claims.

3. It would be a great step forward if, using the above argument, we could persuade Israel to state openly in the course of the debate:-

(a) that she accepts in principle the figure assessed by the Commission, subject to the modifications mentioned in paragraph 41 of the Report;

(b) that whilst reserving any claim which she may have on account of war damage, losses incurred by Jews who emigrated subsequently from Arab lands, etc., she does not seek to set this off against the figure of compensation payable to Arab refugees, and

(c) that she is prepared to negotiate with regard to the means by which this sum can be made available.

4. In seeking to persuade Israel to take this step, we could point out that we appreciate the difficulties which repatriation of the refugees would involve and for this reason (and also because as the U.K. delegate stated last year we consider the refugees would be better off settled outside Israel), we do not suggest that she should herself necessarily announce her acceptance of the principle of repatriation. Nevertheless since the whole question of setting in operation the resettlement projects of U.N.R.W.A. depends on the preservation of that principle, we strongly urge her not to make any statement specifically denying it. If she feels that she must mention the matter, we would hope that she will confine herself to pointing out the practical and physical difficulties which such repatriation would involve. Moreover she should bear in mind that every refugee who actually receives adequate compensation ceases to be a potential repatriate; hence from this point of view too the payment of compensation is the key to the situation.

5./....

5. The main point to make, however, is that here there is a real chance for Israel to make a striking contribution towards peace in the Middle East. The Arab States are bedevilled by the refugee problem, and until progress can be made with this there is little chance of persuading them to come to terms. If therefore Israel wants peace, as we sincerely believe, here is her opportunity. We realise that her economic difficulties preclude her from finding the money immediately but suggest that this is a problem which, as proposed by the Commission itself, should be tackled after Israel has agreed to the principle of such payment.

6. If it is decided to make an approach to the Israelis on the above lines, it is submitted that the best method would be in the course of discussion with the Israel Minister in London. Mr. Elath has throughout displayed a sense of realism over this problem and could probably be relied upon to put our point of view sympathetically to his Government. The alternatives are of course discussion between the delegations in Paris and an approach in Tel Aviv, but an approach in London seems preferable and would undoubtedly carry more weight if the Secretary of State were to speak himself to the Israel Minister. Had time permitted there would have been advantage in consulting the French, Americans and Turks on the above proposals, but the debate on the Commission's Report is likely to take place immediately after the Christmas recess and as these proposals are in general accord with those formulated by the Commission we may presumably take it that the three Governments concerned would not raise any objection. We should of course inform them as soon as the approach had been made.

P. R. Oliver

21st December, 1951

M.E.S.(first)

I agree 22/12

I

I am not altogether convinced as regards the desirability of our taking this up with the Israelis, let alone of suggesting that the Secretary of State should speak to Mr Eshkol. Israel has hedged about her offer to discuss compensation with some pretty formidable ~~resot~~ reservations; and these, whether or not the offer was made in good faith, we should find it extremely difficult to induce her to abandon. I find it hard to believe, for instance, that she would be prepared to dismiss the idea of setting off her claims against the sum she might be prepared to pay in compensation. And if, at our behest, she nevertheless did so, she would expect us to put pressure on the Arabs to do something in return.

I have discussed this with Mr Evans, who nevertheless feels that we should seize this opportunity of taking the compensation question a step further if we possibly can. The subject is of his domain, and I therefore do not feel qualified to overrule him

but

but only to place on record my doubts whether the proposed course of action would lead us anywhere.

We should both be grateful if you could spare the time for a discussion.

James C Wardrop
27/12.

Mr Bowker

See now my letter to Mr. Evanson Paris recording my conversation with Mr. Elath this evening.

R.J.S.
8/1

FE 1821o/1

OUTFILE

FOREIGN OFFICE, S.W.1.

8th January, 1952.

The Israeli Minister called on me this evening on another subject and I took the opportunity of throwing some flies over him about the question of Refugees. The result of my fishing expedition was to elicit from him an expression of complete agreement with the view that there was no occasion for the Israelis in public to deny the principle of repatriation and that the essential was to insist on the practical and physical difficulties.

As regards compensation, M. Elath said that his Government stood by the statement already made of their readiness to discuss the question. But I could elicit no indication whatever of any readiness to abandon the reservations referred to in paragraph 65 of the P.C.C.'s Report. In view of what he said I did not think there was anything to be gained by pressing the point specifically.

I fear this conversation will not have been of any practical use as regards proceedings in Paris which, of course, have already started, and for all I know the Israeli Delegate will already ha made a statement.

(Sgd) R. J. BOWKER.

T.E. Evans, Esq., O.B.E.,
United Kingdom Delegation to the
United Nations General Assembly.

E

EASTERN DEPARTMENT

PALESTINE

E E18210/2

1952

Sir Francis Evans
TEL AVIV

No: 24 (10802/11/52)

Date 18/1

Rec'd: 24/1

Palestine Conciliation Commission

Ref. Sir Knox Helm's desp. 401 of 5th Nov. '51 (ER 1022/3).

Concerns the compensation payable for the abandoned Arab lands.

Last Paper

References

ER1022/3/51.

(Print)

(How disposed of)

D(A). Chancery, Tel. Aviv from Eastern Dept 6 Feb.

D(A) Chancery, Tel Aviv from E. Dept. (By Fastest Bag) 23/2.

(Action completed) M.J. 8/2

(Index) J. 3/10

Next Paper

(Minutes)

The P.C.C.'s figure of 100 million dollars has obviously been something of a shock to the Israelis. They have not got the money and would not pay it if they had. Shanets latest point is no more than taking additional cover under the prudent "assumptions" that deprived his original offer of much of its value.

[signature] 29.1.

Mr Wardrop. 31/1.
M.E.E.
U.N. (Pol)

The assessment is, actually, not $100 million but £P100 million for abandoned Arab lands, plus £P20 million for abandoned moveable property.

[signature] 1/2

[signature] 1/2

"Immovable" in your letter shd. read "moveable"! It is probably hardly worth correcting this.

[signature] 7/2

E Dept

[signature] 7.2.

See within

(A) Mr Lansdale, Tel Aviv to E. Dept (10802/44/52 of 19/2/52)

[signature] 23.2.

37021

E

BRITISH LEGATION,
TEL AVIV.

18th January, 1952

No. 24
(10802/11/52)
Confidential

ER 1022/3
(1951)

E E1821 0/2

Sir,

In his despatch No. 401 of the 5th November, 1951 regarding Israel's readiness to pay compensation for Arab refugees, my predecessor reported that the Israel Minister for Foreign Affairs had told the Knesset that the problem of the abandoned Arab lands was a legacy of war, not of a peaceful business transaction, and that estimates of the value of the property were not the only factor in assessing the amount of compensation.

2. I now have the honour to inform you that the evaluation at £ 100 m. of abandoned Arab property by the Palestine Conciliation Commission has, as might be expected, given some concern to the Israel Government. On the 27th December, 1951 Mr. Sharett stated at a press conference that the P.C.C.'s assessment was in effect academic. He said that the P.C.C.'s report was being studied and that there had been no possibility of checking the figure in Paris. He again made the point that the Israelis did not get the property through a business transaction; rather was it through a revolution.

/The

The Right Honourable
Anthony Eden, M.C., M.P.,
Etc., etc., etc.,
Foreign Office,
London, S.W.1.

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24 JAN 1952
SENT TO DEPT.
28

The transfer of the property was only one of many aspects of this revolution. Israel had not undertaken to pay the assessed value of the property on the basis of a business arrangement, but only to pay an agreed sum. Questions of the area and the value of the land therefore might not be raised.

3. According to the press Mr. Sharett said that the amount of compensation to be paid is being considered but even if he had some observations to make on the P.C.C.'s estimate he doubted whether they would be voiced publicly.

4. There is no prospect of Israel's paying the £ 100 m. suggested by the P.C.C. unless she were to receive financial aid from outside. Even if this were forthcoming it is very doubtful whether the Israel Government would accept the P.C.C.'s figure.

5. I am sending copies of this despatch to His Majesty's Representatives at Washington, Paris, Ankara, Cairo, Beirut, Damascus, Amman and Baghdad, to the Permanent United Kingdom Delegate to the United Nations at Paris, the Head of the British Middle East Office and Sir Henry Knight.

I have the honour to be
With the highest respect,
Sir,
Your obedient Servant,

F. R. Evans

pwj

6/16

0/10

Registry No. EE 18210/2

OUTFILE

~~Top Secret.~~
~~Secret.~~
Confidential.
~~Restricted.~~
Open.

Draft.

Chancery

Tel Aviv

from

Eastern Dept.

[signature]

5.1.

RECEIVED IN DIVISION
- 5 FEB 1952
SENT TO TYPE 5/2.
DESPATCHED

NOTHING TO BE WRITTEN IN THIS MARGIN.

Dear Chancery

In Sir Francis Evans despatch No 24 of — he states that the ~~figure~~ evaluation of abandoned Arab property by the Palestine Conciliation Commission was $100 million. According to our copy of the Commission's report ~~as~~ the figures are £P. 100,~~000~~ million for Arab lands plus a further £P 20 million for abandoned ~~im~~movable property. Could you & let us know if your figure is a typing error or if there is some further sum involved that we have not heard about?

Yours ever

Eastern Department.

[signature]

(12733) 7/51 D.L.

(EE 18210/2)

UNCLASSIFIED

OUTFILE

FOREIGN OFFICE, S.W.1.

6th February, 1952.

Dear Chancery,

In Sir Francis Evans despatch No. 24 of the 18th January, 1952 he states that the evaluation of abandoned Arab property by the Palestine Conciliation Commission was £ 100 million. According to our copy of the Commission's report the figures are £P. 100 million for Arab lands plus a further £P. 20 million for abandoned ~~im~~movable property. Could you let us know if your figure is a typing error or if there is some further sum involved that we have not heard about?

Yours ever,

EASTERN DEPARTMENT.

The Chancery,
British Legation,
Tel Aviv.

E

10802/44/52

BRITISH LEGATION,
TEL AVIV.

19th February, 1952

E 1821 0/2 A

Dear Department,

Thank you for your letter of the 6th February (EE 18210/2) regarding our despatch No. 24 of the 18th January about the evaluation by the Palestine Conciliation Commission of abandoned Arab property.

2. When the despatch was drafted we had not seen the Commission's report, and the figure of £ 100 m. was quoted from the "Jerusalem Post". It looks as if this must have been a printing mistake.

3. Is the report to which you refer the same as the Progress Report of the P.C.C. covering the period 23rd January to 19th November, 1951? We have just received this and see, from paragraph 36 on page 5, that the figure, as you said in your letter, is £P 100 m. In your letter, however, you added that there was a further £P 20 m. for abandoned <u>immovable</u> property. On page 6 (paragraph 39) of the report under reference we see that the figure of £P 20 m. is given for <u>movable</u> property. Apart from this we have not heard of any further sum involved. The figure of £P 20 m. was not mentioned by the "Jerusalem Post" in the report it gave of Mr. Sharett's press conference on the 27th December, 1951.

Yours ever,

R.T. Landale.

(R.T. Landale)

Eastern Department,
Foreign Office,
London, S.W.1.

RECEIVED IN F.O.
21 FEB 1952
SENT TO DEPT.
21/22

Registry
No. EE 18210/2

~~Top Secret.~~
~~Secret.~~
~~Confidential.~~
~~Restricted.~~
Open.

Draft.

Chancery Tel Aviv

from

Eastern Dept.

NOTHING TO BE WRITTEN IN THIS MARGIN.

(12733) 7/51 D.L.

RECEIVED IN DIVISION
23 FEB 1952
SENT TO TYPE 23
DESPATCHED

Bag today 23/11.15

OUTFILE

Dear Chancery

Thank you for your letter of 19 February 10802/44/52 reference.

The P.C.C. report to which we referred is the one you mention, and the word "immovable" should read "movable".

It would seem now to be established (clear) that the figures are £100 m. for lands and £20. m. for "movables" and that no additional sums are suggested.

Yours ever

Eastern Dept.

M.S.G.

FOREIGN OFFICE, S.W.1.

(EE 18210/2)

23rd February, 1952.

UNCLASSIFIED

Dear Chancery,

Thank you for your letter of 19th February reference 10802/44/52. The Palestine Conciliation Commission report to which we referred is the one you mention, and the word "immovable" should read "movable".

2. It would seem now to be clear that the figures are £100 m. for lands and £20 m. for "movables" and that no additional sums are suggested.

Yours ever

EASTERN DEPARTMENT.

The Chancery,
British Legation,
Tel Aviv.

E

EASTERN DEPARTMENT

PALESTINE

EE 18210/3

1952

F.O. Minute
Mr. Evans

D. 7th February.

R. 8th February.

Compensation for Arab refugees.

A report by the Refugee Office of the Palestine Conciliation Commission attached.

(Conclusions to the Preliminary Report and Appendices).

Last Paper

References

(Print)

(How disposed of)

~~Dft~~ Delegation, New York, from Wardrap 1st Mch.

(Action completed) | (Index)

18/2 | 3/6

Next Paper

(Minutes)

Eastern Dept (Mr. Pierie Gordon) 15.2.

C. Watalow 15/2

CW 16/2

Mr Evans and I discussed the enclosed report with Mr Bernacastle who is a former official of the Palestine Government Lands Department and is now employed by U.N. in the Refugee Office. The report has been given us "off the record". It was decided that it might be of value to let our Delegation at New York see the report and give them our comments. I attach a draft which has been written jointly with Mr Evans and which I think is self explanatory.

Christopher Pierie Gordon
28.2.52

Draft revised

1/3

Mr Evans (MES) a/a.

1/3

37021

FOREIGN OFFICE, S.W.1.

EE 18210/3

1st March, 1952.

CONFIDENTIAL

Draft

OUTFILE

Dear Delegation,

We recently had a meeting with Berncastle of the P.C.C. Refugee Office, in the course of which he gave us, in the strictest confidence, the attached conclusion to the Refugee Office's preliminary report. We should be grateful if you would return it to us after perusal and ensure that the Commission do not become aware of the fact that you have seen it.

2. As you will see, whereas hitherto studies of this question have been limited to assessing the total amount due in respect of compensation, an attempt is now being made to work out ways and means of distributing it to individuals.

3. We told Berncastle that we were disturbed at the suggestion that it would take anything from three to five years to complete the job (see page 2 of Appendix B); and we wondered whether too much reliance was not being placed on the proposed questionnaire (Appendix A). We suggested that the process might perhaps be speeded up if, in addition to circulating the questionnaire, the Commission would undertake a further detailed study of the records (which are mainly microfilms of entries in the Land Registry). This should give a fairly accurate picture of individual claims. We added that it would help if the Commission could within the next six months produce a report giving the main categories of landowners (large, medium and small): this ought to facilitate the checking of individual applications as and when received. Berncastle seemed to agree with all this.

4. We also felt that it would be desirable to make some progress over the question of blocked accounts (see in this connection paragraphs 42,66 and 72 of the Commission's Progress Report for the period ending 19th November). To this Berncastle also agreed.

5. We should be grateful if, without revealing that you have seen the enclosed report, you could find an opportunity of making the above points to the Commission and of ascertaining how they now propose to proceed. We understand that they will be meeting almost any day now.

Yours ever,

(J.C. Wardrop)

United Kingdom Delegation to the United Nations,
New York.

1952

E

EASTERN DEPARTMENT

PALESTINE

E E 18210/4

Mr Chadwick
Tel Aviv.
to E. Dept
18201/3/52.
11-2-52.
13.2.52.

Israeli Policy - Compensation.

Discusses the difficulties arising out of the suggestion that refugees might be allowed to visit Israel in small batches to dispose of their property. Dft) Amman TBMEO (Fayid)

Last Paper

References

EE 1826/46 (1951)

(Print)

(How disposed of)

Dft) Mr Walker, Amman, for Mr Perie-Gordon. 20/2.

Copy) Tel Aviv
BMEO, Fayid. 20/2.

(Action completed) | (Index)

[illegible] 21/2 | [illegible] 3/6

Next Paper

(Minutes)

Tel Avivs reply seems final. I think there is no purpose in pursuing Walkers suggestion any further unless M.E.S. can think of further arguments.

[illegible]
14.2.52.

M.E.S.

I agree. The compensation question must, I'm afraid, await further progress by the P.C.C. Office

[illegible] 15/2

[illegible]
21.2.52.

37021

E

BRITISH LEGATION
Tel Aviv

(18201/3/52)
Confidential

11th February, 1952

E EE18210/4

Dear Department,

Thank you for your letter EE 1826/46 of the 21st January about Walker's suggestion that Arab refugees might be allowed to visit Israel temporarily in small batches to dispose of their property.

2. While we are anxious to support any proposal which might in any way help to relieve the pressure of the Arab refugee problem, we are afraid that there would be great difficulties in the way of any plan such as Walker has suggested.

3. The first and most serious difficulty would, as you suggest, be the transfer problem. So long as the Arab States refuse to acknowledge Israel's existence and even to conclude non-aggression pacts with the Israel Government, the Israelis must necessarily regard them as hostile and will not therefore agree to the transfer to these States of any assets which might serve to strengthen them. At present, as you know, they are not willing even to allow transfers of assets to British subjects living in the Arab States.

4. The second problem arises from the same cause. Since the Arab refugees are in Israel's eyes enemy aliens, their property has been, as you know, frozen and vested in the Custodian of Absentee Property, by whom it is now administered and let out. The Israelis refuse to consider individual compensation in advance of a final settlement, and the farthest they will go is to agree to pay now a certain measure of global compensation to the United Nations. They will, of course, pay nothing direct. We do not think that they are likely to change this attitude in the near future.

5. The third problem is that a very large percentage of Arab refugee property in Israel no longer exists. A large part of Jaffa, most of the Arab quarters in Haifa and many Arab villages throughout Israel have been totally destroyed, as have many citrus and olive groves. There is certainly no movable property left.

6. In addition to this we think that it would be very difficult for the Israelis to establish machinery at this stage to sort out and supervise the

/ claims

Eastern Department,
Foreign Office,
London, S.W. 1.

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13 FEB 1952
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claims and to ensure that property was handed over to its rightful owners. Furthermore, it would be even more difficult to agree on valuations of the property. The Israelis would not agree to anything higher than the 1948 valuation and, as you know, have already described the Palestine Conciliation Commission's estimate of the value of refugee property in Israel as "academic" as the lands and property were acquired "through revolution".

7. Restriction of the scheme to a few really large landowners, as you suggest, would we think be strongly opposed by the Israelis. In the first place they would probably be shocked by a proposal to restore their assets to the large fish while allowing small fry to remain uncompensated. In the second place they would be sceptical of the results of such a policy, since they would probably think it unlikely that the large landowners could be bought off in this way, but more probable that they would take their money and then continue their political activities to try and get the lands too, by conquest or otherwise.

8. For all these reasons we think it unlikely that anything can be achieved along the lines suggested by Walker for the present.

9. We are sending copies of this letter to Amman and to the British Middle East Office at Fayid.

Yours ever,

J.E. Chadwick

(J.E. Chadwick)

120

19/10

Registry No. EE 18210/4

~~Top Secret.~~
~~Secret.~~
~~Confidential.~~
~~Restricted.~~
Open.

Draft.

M.T.
Mr Walker, Amman
from

Mr Pirie Gordon.

Copy
Tel Aviv
BMEO, Fayid

RECEIVED IN DIVISION
18 FEB 1952
18/2

NOTHING TO BE WRITTEN IN THIS MARGIN.

OUTFILE 2 C.

etc etc

You will now have seen Chadwick's letter to the Department commenting on ~~your~~ the suggestion in your ~~[illegible]~~ that a selection of refugees should be allowed back temporally to Israel to settle their affairs.

We feel here, in the light of what Chadwick says, that it is not much use attempting to go further with your scheme, ~~[illegible]~~ pity which ~~[illegible]~~ though attractive is ~~obviously~~ apparently unworkable, as you yourself feared ~~unworkable~~ might prove to be the case.

I am sending copies of this letter to Tel Aviv and B.M.E.O. at Fayid.

P.G.

(12733) 7/51 D.L.

(E 18210/4)

UNCLASSIFIED

FOREIGN OFFICE, S.W.1.

20th February, 1952.

OUTFILE

You will now have seen Chadwick's letter to the Department commenting on the suggestion in your letter to Furlonge of 13th December (reference S.107/9/61/51) that a selection of refugees should be allowed back temporarily to Israel to settle their affairs.

2. We feel here, in the light of what Chadwick says, that it is not much use attempting to go further with your scheme, which though attractive is apparently unworkable as you yourself feared might prove to be the case.

3. I am sending copies of this letter to Tel Aviv and the British Middle East Office at Fayid.

(C.M. Pirie-Gordon)

M. T. Walker, Esq.,
Amman.

E

E E 18210/5

1952

PALESTINE

FROM Mr. Chapman Andrews (Beirut)

CONFIDENTIAL

No. 134

Dated 4th March '52

Received in Registry— 5th March '52

Arab claims for compensation.

Remarks by the Minister of Foreign Affairs of Lebanese Government concerning the note from the Israel Legation regarding Israels claims against Germany.

Rptd Tel Aviv, Wahnerheide, Damascus, BMEO Cairo, Fayid.

References

-/6

ADDED PAPERS

A

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(Print)

(How disposed of)

See minute on -/8

17/3

(Action completed) 26/3.

(Index)

39666

FROM BEIRUT TO FOREIGN OFFICE

Cypher/OTP

DEPARTMENTAL DISTRIBUTION

Mr. Chapman Andrews
No. 134
4th March, 1952.

D. 8.50 a.m. 5th March, 1952.
R. 10.12 a.m. 5th March, 1952.

CONFIDENTIAL

Addressed to Foreign Office telegram No. 134 of 4th March.
Repeated for information to: Tel Aviv
And Saving to: Wahnerheide, Damascus,
B.M.E.O.(Cairo), Memin Fayid.

Minister for Foreign Affairs sent for me this morning to say that the Lebanese Government had obtained from Israeli press a copy of what purported to be a note from Israeli Legation in London to Foreign Office regarding Israel's claim against Germany.

2. Minister for Foreign Affairs said that while the Lebanese Government did not deny that a large number of Jews in Israel might have a valid claim against Germany, the fact remained that these Jews had in their turn expelled Arabs from Palestine. Arabs were therefore the ultimate sufferers and the Lebanese Government hoped that Her Majesty's Government as occupying power in Germany would ensure that at least part of any sum obtained from the German Government for this purpose should be made over to the Arab refugees and the other residents in Arab territories who had suffered damage, not only by expulsion from Palestine, but also by blocking and freezing of Bank accounts and assets still existent in Israel.

3. In reply to an enquiry from me, the Minister said that a similar official request was being made to the French and American Governments. In reply to a further question he said he thought it a probability that question would also be raised in other Arab capitals.

Foreign Office please pass to Tel Aviv as my telegram No. 12.

[Repeated to Tel Aviv.]

DISTRIBUTED TO:
Eastern Department
Middle East Secretariat
German General Department.

VVVVV

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DIVISION
5 - MAR 1952
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C.B.
for
Top copy.

EE18210/5

EE(B

AMENDMENT SLIP

Beirut telegram No. 134 of 4/3 to Foreign Office

~~Foreign Office telegram No. ..... of ..... to .....~~

Preamble after "MEMIN Faxid"

please add "Amman Jerusalem, Washington Paris"

Authorised by .....

Telegraph Dept.

(from Beirut 4(3)) Staff Officer 131

Date 10/3/52

E

FE 18210/6

1952

PALESTINE

FROM Mr. Furlonge (Amman)

CONFIDENTIAL

No. 86

Dated 5th March 52

Received in Registry— 6th March 52

Arab claims for compensation.

Jordan Government's agreement to support the Syrian request concerning payment of compensation to Jews, the subject of discussion between Israel & Western Germany.

References

-/5

ADDED PAPERS

A

B

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D

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See minute on -/8.

(Print)

(How disposed of)

(Action completed)	(Index)
26/3.	

39666

CF

FROM AMMAN TO FOREIGN OFFICE

Cypher/OTP

DEPARTMENTAL DISTRIBUTION

Mr. Furlonge
No. 86
5th March, 1952

D. 3.04 p.m. 5th March, 1952
R. 3.39 p.m. 5th March, 1952

CONFIDENTIAL

CF(W)14824/10

Addressed to Foreign Office telegram No. 86 of 5th March

Repeated for information to Tel Aviv, Damasscus, Beirut, Memin (Fayid)
and Saving to Paris, Washington, Wahnerheide, Jerusalem

The Jordan Government have sent me a note stating that they have learnt of the discussions between Israel and Western Germany for payment of compensation to Jews. They understand that the Syrian Government have approached the American, French and British Governments requesting that the amount of compensation agreed on should be paid to Arab refugees as part of the compensation for loss of their homes and property. The Jordan Government wishes formally tc support the Syrian request.

Please pass Tel Aviv and Memin (Fayid) as my telegrams Nos. 10 and 28 and Saving to Paris, Washington and Wahnerheide as my telegrams Nos. 3, 2, and 1 respectively.

[Repeated to Tel Aviv, Memin (Fayid) and Saving to Paris, Washington and Wahnerheide]

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Eastern Department
Middle East Secretariat
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6 MAR 1952

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6 - MAR 1952
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E

EASTERN DEPARTMENT

PALESTINE

1932

E 1821 0/7

F. O. Minute

(Mr Wardrop)

3. March.

8 March.

German reparations to Israel.

M Mohaffel, Syrian Chargé d'affaires called on 3rd March & stated that his Government would be protesting against the proposal that Germany should pay reparations to Israel in respect of damage done to Jews in Germany before & during the war.

Last Paper

(Minutes)

Reference

-/8

Now see -/8.

17/3.

(Print)

(How disposed of)

(Action completed)

24/3.

(Index)

14/8

Next Paper

37613

E 78210/7

Minutes. Enter & submit w. pp

E.

German reparations to Israel

Mr. Mohaffel, the Syrian Chargé d'Affaires, called to-day and said that his Government would be protesting to Her Majesty's Minister at Damascus against the proposal that Germany should pay reparations to Israel in respect of loss of life and property sustained by Jews in Germany before and during the war. The Syrian Government considered that this was tantamount to recognising Israel's jurisdiction over Jews all over the world. Furthermore, if anyone deserved compensation, it was the Arab refugees who had lost their homes and belongings in what was now Israel. And finally, compensation to Israel would enable her to build up her armaments and so to become an even greater threat than she already was to her Arab neighbours.

2. I replied that I did not know very much about this, and that all I could do was to take note of what he had said. My purely personal view was that this was a matter for the Germans and the Israelis to sort out among themselves and I did not quite see where we came in. I promised, however, to refer the question to the appropriate departments.

3. Mr. Mohaffel asked whether he could expect an answer within the next few days. I said I doubted it.

4. I think we can let this ride a little and see what H.M. Minister at Damascus reports. If we do not hear from him within a week or so we can ask him whether the Syrians have in fact approached him and, if so, in precisely what form.

5. Meanwhile German Finance Department may care to comment.

James C Wardrop.

(J.C. Wardrop)

3rd March, 1952.

German ~~Finance~~ General Dept.

Please see attached draft brief for the Minister of State's interview with the Israel Minister to-morrow.

/The

NOTHING TO BE WRITTEN IN THIS MARGIN.

(27269) Wt. 22832—217 350m 11/50 G.S. St

Minutes.

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-7 MAR 1952
-8 MAR 1952
SENT TO DEPT.
10/3

The Syrian attitude seems reminiscent of a point raised with the Middle East Secretariat a year ago. (Miss Waterlow may remember the discussion).

I should have thought Arab interests lay in seeing Israel compensated. That would surely assist them in pressing their own claims.

W. Wilson
4 iii 52
German General Dept.

476

I now see (from the German General Dept's brief for the Minister of State) that the views of the Diaspora have receded their support for Israel's claim and agreed that the Israel Govt. should claim also on behalf of World Jewry. That seems to dispose of Mr Shaffel's first argument.

James C Wardrop
4/3.

M.E.S. for comments.

NOTHING TO BE WRITTEN IN THIS MARGIN.

Nothing to be Written in this Margin.

Minutes.

The point which I discussed with Mr Wilson some time ago was whether the German compensation to the Jews, if paid in kind, could be of any use to the Arab refugees to if passed on in turn to them. At that time the German-Israeli negotiations were in too embryonic a stage to enable us usefully to consider this point. I understand from Mr Wilson, however, that the two parties are now about to begin discussing compensation in terms of actual commodities. As soon as anything concrete emerges, German General Dept. will advise us, & we can then consider whether to advise the Arabs to put in a claim for the goods which the Germans will be sending to Israel.

C Waterlow
5/3

Payment of compensation by Germany would in theory put Israel in a position financially to pay compensation to Arab refugees. H. of S. examined with German General Dept the

Minutes.

possibility of the two question being somehow tied. Pl attach PBS (951)

[signature] 5/3

not available.

Now see C1571/11 & 1951 attached. also -/5 -/6 & -/8

M. Wardrop [signature] 11/3

The position now is that the Syrian, Lebanese and Jordan Governments have asked the intervention of the U.K., U.S. and the French to assist in diverting any money or goods the Israelis may get out of the Germans, for the benefit of the Arab refugees. This possibility was discussed last year on C1571/11 and the Department's views are summed up in Mr Wardrop's minute of 14 March 1951.

There are indications that the other Arab League States will associate themselves with this demand in due course.

There does not seem any reason to change our attitude of last year and from the attached note from the U.S. Embassy it seems that the Americans wish to follow a similar line.

We have no news yet of the French reactions.

Christopher Pirie Gordon 17.3.52.

Now see —/8.

[signature] 25.3.52.

Nothing to be Written in this Margin.

E

EASTERN DEPARTMENT

PALESTINE

E E 18210/8

1952

Mr Montague-Pollock.

DAMASCUS.

No 33. (14901/1/52)
4. III. 52
8. III. 52.

Last Paper

Reference

C. 1571/11 (1951)
-/9.

(Print)

(How disposed of)

Desp. Damascus. 31.
a) Tel Aviv 42
Bagdad. 64
Beirut 45.
Jeddah 29.
Amman 42
W. Va. 348
Cairo 110
Fayid 90.
UK Del, N.Yak. 112.
Paris 275. 22 Mar.
Copy Page 1. Amman. 28 Mar.

(Action completed) 26/3.

(Index)

Next Paper

German reparations to Israel.

Encloses translation of a Memorandum handed to himself, and the French & U.S. Ambassadors by the Acting Foreign Minister on the subject of German reparations payments to Israel.

(Minutes)

Flag A. I attach a "U.S. Suggestion on Form of Answer" which was left with German General Department by a member of the American Embassy. It appears that it has been telegraphed to the US Minister at Damascus, who has been instructed to discuss it with H M Minister (and presumably their French colleague). The intention seems to be that the replies of the three Western Governments should be made orally.

2. The American draft reply seems to be generally on the right lines. In reply to the

B. Israel Note of 12th March, 1951,

C. we said (on 5th July) that we could not see our way to impose upon the Federal Government

37613

Government the task of making reparation to the Government of Israel; and we pointed out that pending a definitive settlement we were precluded by the Paris Agreement on Reparations from asserting either on our own behalf or on behalf of other States further reparation demands on Germany.

3. We thus seem to be entitled to say, with the Americans, that we have consistently held that Israel's claims against Germany were a matter for direct discussion between the Israel and German Governments.

4. On the other hand, and subject to the views of M.E.S., I should prefer to have as any reference to the (admittedly comparable) case of the Iraqi Jews. For as one thing it is unlikely to weigh much with the Syrians and will only lead to a great deal of fruitless argument; and for another I am not sure that we can say, as the Americans say of themselves, that we have refused to accept the Israel claim that the losses of the Iraqi

Jews

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Jews should be set off against the compensation of Arab refugees. Indeed, I imagine we shall want to keep an open mind on this.

5. I have discussed the above point with Mr Palmer of the U.S. Embassy who admits that he too had some doubts about the wisdom of raising it.

6. As regards the method of reply, Mr Palmer says that he interprets the instructions of the State Department to mean that the U.S. Representatives in Arab States who have been approached orally should reply in the same way. He imagines, however, that the Syrian Note would be answered in writing. I myself strongly feel that a written communication should have a written reply.

7. Remains to be considered what our written reply should say. I think it would

NOTHING TO BE WRITTEN IN THIS MARGIN.

(31059) Wt.58238—243 250m 10/50 G.S.St.

would be enough to refer, as the Americans suggest, to the Potsdam protocol and the Paris Reparations Agreement (to which Israel was not a party) and to the fact that it was on German initiative that the question of indemnification for Jews was raised. The matter is thus exclusively due for negotiation between Israel and Germany and H.M.G. have accordingly no standing in the matter.

8. I feel rather reluctant to say in writing that the Israelis tried to induce us to extract reparations for them and that we rejected their request; but this could be used as a talking point if desired. And as stated above I would sooner leave out the reference to the Iraqi Jews altogether

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NOTHING TO BE WRITTEN IN THIS MARGIN.

9. Meanwhile (and notwithstanding what is said in paragraph 7 above) I understand from German General Dept. that the German ~~initiative~~ initiative was not quite as spontaneous as might be supposed and was in fact the result of some prodding on our part. If this is so, while it presumably gives us no legal right to urge the Israelis to pass on to the Arab refugees whatever compensation they may extract from Germany, it ought at least to entitle us to use a certain amount of moral suasion to that end (see in this connexion minutes at C 1571/11 of 1951.)

10. I attach a draft despatch to H.M. Minister at Damascus.

(Signed) C Wardrop
18/3

M.E.S. (Mr Evans)
German General Dept (Mr Wilson)
Legal Adviser (Mr W. V. J. Evans).

9

(31059) Wt.28233—243 250m 10/50 G.S.St.

Minutes.

I agree. after consulting Mr. Wardrop I have added a phrase at the end of para 8.

[signature] M.E.S. 18/3

The sentence at X in the draft seems to me to need clarifying. What is the "definitive settlement" referred to? Can further separation demands be made (a) at the definitive settlement or (b) after it?

I am afraid that I do not know sufficient about the subject to suggest an alternative draft.

[signature] 19/3

I have consulted German General Department, who tell me that "definitive settlement" is a formula used in the Paris Agreement. Ideally it would mean a peace treaty between a united Germany on the one hand and the former Allies (including the Soviet Union) on the other. This, however, is a good deal to hope for and I understand that we are reserving to ourselves the right to interpret "definite settlement" as something less ambitious. I also gather that further reparation demands can be made at the "definitive settlement."

I

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NOTHING TO BE WRITTEN IN THIS MARGIN.

Minutes.

I doubt, however, whether all this need (or indeed should be) spelled out to the Syrians; and I would therefore recommend that the passage mentioned by Mr Evans (which is taken word for word from our note of 5th July last to the Israelis) should stand.

James C Wardrop
19/3.

I should be happy to leave the passage in if Mr Evans sees no objection.

A D M Ross
20/3

I am quite content to leave it to the Dept.

W M Evans
21/3

Mr Palmer of the U S Embassy has asked us to let him know what instructions we send to Damascus. I should be grateful, therefore, if the pp. could be returned to me after the despatch has gone.

James C Wardrop
21/3.

A D M R 21/3

/(a)

(31059) Wt. 28233—243 250m 10/50 G.S.St.

See within

(A) U.S. Embassy comm'n. of 14 Mar.
(Suggested form of answer.)

I have now told Mr Palmer of the general tenour of our instructions to Damascus without, however, mentioning what we say in paragraph 8 of the despatch.

25/3.

B) Amman No 116 of 25/3.
Missing page sent.

EA
28/3/52.

NOTHING TO BE WRITTEN IN THIS MARGIN.

E 1821018

No. 33
(14901/1/52)
CONFIDENTIAL.

British Legation,
DAMASCUS.
4th March, 1952.

Sir,

I have the honour to inform you that my French and United States colleagues and myself were summoned to the Syrian Foreign Ministry on March 3rd and handed a Memorandum, of which .... I enclose a translation, by the Acting Foreign Minister on the subject of German reparations payments to Israel.

2. Jamal Bey Farra explained to me that this démarche was being made to the representatives of the three occupying Powers for the reason that they were in a special position to control the course of German reparations payments. It was possible that the Syrian Government might raise this question with the United Nations, but this was not envisaged at present as Germany was not a member thereof.

3. I asked Jamal Bey whether this approach was being made by all the members of the Arab League. He replied that he thought not, although it was possible that the question might form the subject of a Resolution at the forthcoming meeting of the Political Committee of the League.

4. I shall be grateful for instructions as to the reply which I should make to this démarche.

5. I am sending copies of this despatch to Her Majesty's Representatives at Paris, Washington, Cairo, Tel Aviv, Bagdad, Beirut, Jedda, Amman, to the Head of the British Middle East Office, Fayid, and to the Permanent United Kingdom Representative to the United Nations, New York.

I have the honour to be,
With the highest respect,
Sir,
Your obedient Servant,

W.H. Montagu-Pollock

The Right Honourable
Anthony Eden, M.C., M.P.,
etc., etc., etc.,

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8 MAR 1952
SENT TO DEPT.

No. 88

(1230/1/52)

CONFIDENTIAL.

4th March, 1952.

Sir,

I have the honour to inform you that my French and United States colleagues and myself were summoned to the Syrian Foreign Ministry on March 3rd and handed a Memorandum, of which I enclose a translation, by the Acting Foreign Minister on the subject of German reparations payments to Israel.

2. Jamal Bey Farra explained to me that this démarche was being made to the representatives of the three occupying Powers for the reason that they were in a special position to control the course of German reparations payments. It was possible that the Syrian Government might raise this question with the United Nations, but this was not envisaged at present as Germany was not a member thereof.

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I have the honour to be,
with the highest respect,
Sir,
Your obedient Servant,

The Right Honourable
Anthony Eden, M.C., M.P.,
etc., etc., etc.

ENCLOSURE TO DAMASCUS DESPATCH
NO. 33 TO FOREIGN OFFICE DATED
4th MARCH, 1952.

AIDE MEMOIRE

The Syrian Government have learned that the question of the payment of reparations by Western Germany to Israel for Jewish losses during the Nazi rule is under consideration and that the final negotiations on this subject are expected to take place shortly.

The Ministry of Foreign Affairs wish to draw the attention of the Legation to the fact that the Arab Palestinian refugees, whose homes have been destroyed and whose properties have been seized for the benefit of the Jews who were brought into Palestine, are more truly entitled to these reparations than is Israel which is responsible for dispersing about one million Arab Palestinians.

The Syrian Government, while demanding the transfer of these reparation payments to the benefit of the Palestinian refugees, hope that the Government of the United Kingdom will support this viewpoint and will use their good services with a view to ensuring that these payments will be confiscated for the rightful and humane purposes referred to above by means of some procedure, viz. under the supervision of the U.N.O., the International Fund or the Indemnities Office, to be agreed upon.

3rd March, 1952.

H.B.M. Legation,

DAMASCUS.

See below

OUTFILE

22nd March, 1952.

By Bag of 22nd March

22/10.30
22/11.30

Registry
No. EE 18210/8

~~Top Secret.~~
~~Secret.~~
Confidential.
~~Restricted.~~
~~Open.~~

Draft.

Despatch to
H.M. Minister,
Damascus.

No: 31

Copy to Her Majesty's Representatives at Paris, No 275
Washington, No 348
Cairo, No 110
Tel Aviv, No 42.
Bagdad, No 64
Beirut, No 45.
Jedda, and No 29
Amman, No 42 and to the Head of the British Middle East Office at Fayid No 90 ..
and to the Permanent U.K. Representative to the United Nations, New York. No 112

Encl. copy of "form of answer"

MES
German General Dept
Pl. see minute
Mr W V J Evans. 19/3
first.

James C Wardrop
18/3.

NOTHING TO BE WRITTEN IN THIS MARGIN.

Sir,

Under cover of your Despatch No. 33 of the 4th March, you transmitted a copy of a memorandum from the Syrian Government concerning the payment of indemnification by the Federal German Republic to Israel in respect of losses sustained by the Jews under the Third Reich.

2. The Department had already been made aware, both by the Syrian Chargé d'Affaires in London and by the United States' Embassy, of the Syrian Government's representations to you and your French and United States' colleagues. The United States' Embassy have now made available to the Department the text of the State Department's suggested form of answer to be given on this subject to such Arab Governments as may have raised it. I enclose a copy. I understand that the United States' representatives concerned have instructions to discuss the wording with their United Kingdom and French colleagues before communicating their reply to the Governments to which they are accredited.

3. Some doubt surrounds the question whether it is the State Department's intention that the reply should be delivered in writing or orally. You will observe in this connection that the heading refers to a "form of answer to be given in conversation." The United States' Embassy have ~~asserted~~ hazarded the view that the instruction to reply orally instead of in writing is applicable to the various Arab capitals in which the matter may have been raised orally; and is therefore ~~is~~ not meant for the United States' representative at Damascus.

4. Whatever the intentions of the State Department in this matter, I am of the opinion that,

/in as ...

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(27274) WT 22831-216 325m 11/50 G.S. St.

in as much as the Syrian Government raised the matter in writing, they should receive a written reply.

5. As regards the text of the reply, I am in general agreement with that suggested by the State Department, subject to the following two reservations:-

(i) While it is true that His late Majesty's Government, like the United States Government, rejected the request of the Israel Government for support of their claims against Germany, I consider that it would be preferable to omit any reference to this point in a written communication to the Syrian Government. There would, however, be no objection to your making it orally and informally.

(ii) I am doubtful as to the wisdom of making any reference, whether orally or in writing, to the case of the Iraqi Jews which, though it may be held relevant, would not be so considered by the Syrian Government and would merely lead to fruitless argument.

6. In the circumstances, I consider that your written reply to the Syrian Government should take the following form. The position of the Allies in regard to their wartime claims ~~for indemnification~~ against Germany is based on agreements concluded between them after the end of hostilities, namely the Potsdam protocol and the Paris Agreement on Reparations. Israel was not a party to either of these. Pending a definitive settlement, Her Majesty's Government are precluded by the Paris Agreement from asserting

/either ...

NOTHING TO BE WRITTEN IN THIS MARGIN.

either on their own behalf or on behalf of other States, any further reparation demands on Germany. As the Syrian Government will be aware, however, the German Federal Government themselves took the initiative in offering to negotiate a settlement with the State of Israel and World Jewry of the latter's claim for the indemnification of Jewish victims of the Nazi persecution. The matter has thus become one for a direct negotiation between the Israel Government and the German Federal Government respectively; and in the circumstances Her Majesty's Government considers that it would ~~not~~ be in appropriate for them to intervene.

7. While it is clearly undesirable that the ~~The~~ replies of the three Western Governments should ~~not~~ be at variance with one another, I do not consider that they need be in identical terms. You should, therefore, inform your United States and French colleagues that I prefer the form of reply proposed in my immediately preceding paragraph; but you need not insist that they should bring theirs into line with it. If you, yourself, however, consider that some amendment is called for in the light of local conditions, you should telegraph to me for instructions.

8. Strictly for your own information, the initiative taken by Chancellor Adenauer on the 27th September last and subsequently was ~~not altogether as spontaneous as might be supposed, having in fact been informally~~ stimulated by informal representations by the Western Governments and HMG welcomed it. In the circumstances, while Her Majesty's Government have no legal right to insist that the Israel Government should use any part of the compensation that they may eventually obtain from Germany to indemnify to Arab refugees,

/Her ..

NOTHING TO BE WRITTEN IN THIS MARGIN.

Her Majesty's Government would, having regard to their earlier good offices in the matter, feel entitled to ~~use~~ exercise a certain measure of moral suasion to that end. You will appreciate, however, that no hint of this should be given to any Arab Government, at any rate at this juncture.

9. I am sending copies of this Despatch to Her Majesty's Representatives at Amman, Bagdad, Beirut, Cairo and Jedda for ~~such action as they may deem appropriate;~~ use in replying to such representations as they may have received from the Governments to which they are accredited; and for information to Her Majesty's Representatives at Paris, Washington and Tel Aviv, to the Head of the British Middle East Office at Fayid and to the Permanent United Kingdom ~~'s~~ Representative at the United Nations.

WDMR

4/3

(40237) V 46454/204 55 000 3/50 A.& E.W.Ltd. Gp.685

NOTHING TO BE WRITTEN IN THIS MARGIN.

No. 31

(EE 18210/8)

CONFIDENTIAL

FOREIGN OFFICE, S.W.1.

22nd March, 1952.

OUTFILE

Sir,

Under cover of your Despatch No. 33 of the 4th March, you transmitted a copy of a memorandum from the Syrian Government concerning the payment of indemnification by the German Federal Republic to Israel in respect of losses sustained by the Jews under the Third Reich.

2. The Department had already been made aware, both by the Syrian Chargé d'Affaires in London and by the United States Embassy, of the Syrian Government's representations to you and your French and United States colleagues. The United States Embassy have now made available to the Department the text of the State Department's suggested form of answer to be given on this subject to such Arab Governments as may have raised it. I enclose a copy. I understand that the United States representatives concerned have instructions to discuss the wording with their United Kingdom and French colleagues before communicating their reply to the Governments to which they are accredited.

3. Some doubt surrounds the question whether it is the State Department's intention that the reply should be delivered in writing or orally. You will observe in this connexion that the heading refers to a "form of answer to be given in conversation". The United States Embassy have hazarded the view that the instruction to reply orally instead of in writing is applicable to the various Arab capitals in which the matter may have been

/raised

W.H. Montagu-Pollock, Esq., C.M.G.,
etc., etc., etc.,
Damascus.

raised orally; and is therefore not meant for the United States representative at Damascus.

4. Whatever the intentions of the State Department in this matter, I am of the opinion that, in as much as the Syrian Government raised the matter in writing, they should receive a written reply.

5. As regards the text of the reply, I am in general agreement with that suggested by the State Department, subject to the following two reservations:-

(i) While it is true that His late Majesty's Government, like the United States Government, rejected the request of the Israel Government for support of their claims against Germany, I consider that it would be preferable to omit any reference to this point in a written communication to the Syrian Government. There would, however, be no objection to your making it orally and informally.

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/are

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8. Strictly for your own information, the initiative taken by Chancellor Adenauer on the 27th September last and subsequently was stimulated by informal representations by the Western Governments, and Her Majesty's Government welcomed it. In the circumstances, while Her Majesty's Government have no legal right to insist that the Israel Government should use any part of the compensation that they may eventually obtain from Germany to indemnify to

/Arab

Arab refugees, Her Majesty's Government would, having regard to their earlier good offices in the matter, feel entitled to exercise a certain measure of moral suasion to that end. You will appreciate, however, that no hint of this should be given to any Arab Government, at any rate at this juncture.

9. I am sending copies of this Despatch to Her Majesty's Representatives at Amman, Bagdad, Beirut, Cairo and Jedda for use in replying to such representations as they may have received from the Governments to which they are accredited; and for information to Her Majesty's Representatives at Paris, Washington and Tel Aviv, to the Head of the British Middle East Office at Fayid and to the Permanent United Kingdom Representative at the United Nations.

I am, with great truth and regard,
Sir,
Your obedient Servant,
(For the Secretary of State)

COPY

(NE 18210/8)

Confidential

U.S. Suggestion on Form of Answer to be given in Conversation with Arab Countries on the Subject of the Utilization of any Indemnification from Germany to Israel for Arab Refugees.

The United States as well as the United Kingdom and France has on a number of occasions made clear to the Israel Government the Allied position on reparation demands against Germany. This position is based on agreements entered into among the Allies following the termination of hostilities, namely the Potsdam protocol and the Paris Reparations Agreement. It is pointed out that Israel was not a party to these agreements. The effect of these agreements has been to preclude, pending a definitive settlement with Germany in the nature of a peace treaty, the assertion by the United States Government on its own behalf or on behalf of other states of further reparation demands on Germany.

On September 27, 1951, however, Chancellor Adenauer of the German Federal Republic introduced in the Bundestag a resolution, which was promptly and unanimously adopted, offering to negotiate a settlement with the State of Israel and world Jewry of the latter's claims for the indemnification of Jewish victims of Nazi persecution. In reply to an Israel request for United States intervention in support of Israel's claims, the United States informed Israel that the United States Government had consistently been of the opinion that a settlement of Israel's claims against Germany should be effected through direct negotiations between the Israeli Government and the German Federal Republic.

In urging the Israeli Government to discharge its obligations with respect to Arab refugees as soon as possible, the United States has refused to accept the Israeli Government's assertion that Israel obligations to the Arab refugees should be balanced against property losses of Iraqi Jews who left Iraq for Israel. The United States has emphasized that in its view these two questions are in no way related. A similar situation obtains with regard to payments of indemnification to Israel by the German Federal Republic and Israel's obligation to pay compensation to

/Palestine

Palestine refugees, i.e., the two are not related.

In the light of the foregoing the United States would not consider it appropriate to take the action desired by the Syrian Government.

Confidential

Left for Mr Wardrop by Mr Dunnigan of US Embassy. 14iii

U.S. Suggestion on Form of Answer to be given in Conversation with Arab Countries on the Subject of the Utilization of any Indemnification from Germany to Israel for Arab Refugees.

orally

INDEXED

E E18210/8 (A)

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Palestine refugees, i.e., the two are not related.

In the light of the foregoing the United States would not consider it appropriate to take the action desired by the Syrian Government.

EE 18210/8

25032

TELEGRAM
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NO COPIES MADE

Ea Clair

DWF ~~B 19 HSP TOR 251002Z GRS~~ 15

FROM AMMAN
" Mr. Furlonge
TEL NOD: 116
DATED 25th March 1952
~~11625~~.

EE18210/8

YOUR DESPATCH No 42 ~~C/3~~ (No31 To DAMASCUS)

RECEIVED INCOMPLETE.

PLEASE SEND MISSING PARAGRAPHS 1-3.

~~HMMIN~~

25 MAR 1952

Ops — dept.
Sorry about this. E Air

~~IPD AT 251115Z WJC~~

The Minister of Israel in London presents his compliments to His Majesty's Principle Secretary of State for Foreign Affairs, and, under instructions from the Government of Israel, has the honour to submit the following communication on the question of Israel's claim against Germany.

2. In the Note which the Minister of Israel had the honour to address to the Secretary of State for Foreign Affairs on January, 16th, he stated that the Government of Israel reserved to itself the right to deal in a separate Note with such claims in respect of Jewish losses for which Germany must be held accountable as did not fall within the scope of the existing laws providing for individual restitution and indemnification. It is proposed in the present Note to state the basis and nature of these claims and submit proposals for their satisfaction.

3. The case of the Jewish people against Germany is without precedent. There is no record in history of such gigantic slaughter and rapine as that perpetrated by the German people against the Jews of Europe. In the course of a few years, entire communities, whose history went back over a millenium, were wiped out by a process of systematic extermination. Over six million Jews were done to death by torture, starvation, mass execution and asphyxiation; many of them were burnt and buried alive. Neither old nor young were spared. Children were torn from the arms of their mothers and flung into the furnaces. Old men and women were hunted down and set to the death-camps. In Poland and the occupied zones of Russia alone, over four million Jews perished. From Germany itself and from every part of Europe which fell under German domination - from Norway, Denmark, Belgium, France, Italy, Greece, Bulgaria, Yugoslavia, Rumania, Hungary, Poland, Czechoslovakia and Austria - trainloads of Jews were sent month after month to the extermination centres. Their destruction forms one of the most harrowing stories in the annals of the human race.

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4. Murder was accompanied by robbery on a vast scale. According to conservative estimates, * Jewish property to the value of over six billion dollars was seized by the Nazis in Germany and the other European countries that fell under their sway. This includes a collective fine of one billion marks imposed on the Jews of Germany in the wake of the Government organised pogrom of November, 1938.

5. This colossal campaign of genocide and spoliation represented the climax of a process of persecution which began on the day when the National-Socialist Government came into power. The Judgement in the Nuremberg Trial of German Major War Criminals described it as "a record of consistent and systematic inhumanity on the greatest scale." The following extracts from the Judgement may serve to illustrate the progress of Jewish persecution from the establishment of the Nazi regime until the end of World War II:

> "With the seizure of power, the persecution of the Jews was intensified. A series of discriminatory laws were passed, which limited the offices and professions permitted to Jews; and restrictions were placed on their family life and their rights of citizenship. By the autumn of 1938, the Nazi policy towards the Jews had reached the stage where it was directed towards the complete exclusion of Jews from German life. Pogroms were organised, which included the burning and demolishing of synagogues, the looting of Jewish businesses, and the arrest of prominent Jewish business men. A collective fine of one billion marks was imposed on the Jews, the seizure of Jewish assets was authorised, and the movement of Jews was restricted by regulations to certain specified districts and hours. The creation of ghettoes was carried out on an extensive scale, and by an order of the Security Police Jews were compelled to wear a yellow star to be worn on the breast and back ..... The imposition of a fine of one billion marks was made, and the confiscation of the financial holdings of the Jews was decreed, at a time when German armament expenditure had put the German Treasury in difficulties, and when the reduction of expenditure on armaments was being considered .....
>
> "The Nazi persecution of Jews in Germany before the war, severe and repressive as it was, cannot compare, however, with the policy pursued during the war in the occupied territories. Originally the policy was similar to that which

/had...

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* cp. "Indemnification and Reparations" by N. Robinson (published by the Institute of Jewish Affairs, New York, 1944), p.83.

had been in force inside Germany. Jews were required to register, were forced to live in ghettoes, to wear the yellow star, and were used as slave labourers. In the summer of 1941, however, plans were made for the 'final solution' of the Jewish question in all of Europe. This 'final solution' meant the extermination of the Jews, which early in 1939 Hitler had threatened would be one of the consequences of an outbreak of war, and a special section of the Gestapo under Adolf Eichmann, as head of Section B4 of the Gestapo, was formed to carry out the policy.

"The plan for exterminating the Jews was developed shortly after the attack on the Soviet Union. Einsatzgruppen of the Security Police and SD, formed for the purpose of breaking the resistance of the population of the areas lying behind the German armies in the East, were given the duty of exterminating the Jews in those areas. The effectiveness of the work of the Einsatzgruppen is shown by the fact that in February 1942, Heydrich was able to report that Estonia had already been cleared of Jews and that in Riga the number of Jews had been reduced from 29,500 to 2,500. Altogether, the Einsatzgruppen operating in the occupied Baltic States killed over 135,000 Jews in three months. Nor did these special units operate completely independently of the German Armed Forces. There is clear evidence that leaders of the Einsatzgruppen obtained the co-operation of army commanders .....

"These atrocities were all part and parcel of the policy inaugurated in 1941. Part of the 'final solution' was the gathering of Jews from all German occupied Europe in concentration camps..... All who were fit to work were used as slave labourers in the concentration camps; all who were not fit to work were destroyed in gas-chambers and their bodies burnt. Certain concentration camps such as Treblinka and Auschwitz were set aside for this main purpose. With regard to Auschwitz, the Tribunal heard the evidence of Hoess, the Commandant of the Camp from 1st May, 1940 to 1st December, 1943. He estimated that in the camp of Auschwitz alone in that time 2,500,000 persons were exterminated, and that a further 500,000 died from disease and starvation. Hoess described the screening for extermination by stating in evidence:

/'Those...

'....Those who were fit for work were sent into the camp. Others were sent immediately to the extermination plants. Children of tender years were invariably exterminated.... Very frequently women would hide their children under their clothes, but of course when we found them we would send the children to be exterminated.'

He described the actual killing by stating:

'It took from three to fifteen minutes to kill the people in the death chamber, depending upon climatic conditions. We knew when the people were dead because their screaming stopped. We usually waited about one half-hour before we opened the doors and removed the bodies. After the bodies were removed our special commandos took off the rings and extracted the gold from the teeth of the corpses.'

Beating, starvation, torture and killing were general. The inmates were subjected to cruel experiments at Dachau in August 1942, victims were immersed in cold water until their body temperature was reduced to 28° Centigrade, when they died immediately. Other experiments included high altitude experiments in pressure chambers, experiments to determine how long human beings could survive in freezing water, experiments with poison bullets, experiments with contagious diseases, and experiments dealing with sterilisation of men and women by X-rays and other methods.

"Evidence was given of the treatment of the inmates before and after their extermination. There was testimony that the hair of women victims was cut off before they were killed, and shipped to Germany, there to be used in the manufacture of mattresses. The clothes, money and valuables of the inmates were also salvaged and sent to the appropriate agencies for disposition. After the extermination the gold teeth and fillings were taken from the heads of the corpses and sent to the Reichsbank.

"After cremation the ashes were used for fertilisers, and in some instances attempts were made to utilise the fat from the bodies of the victims in the commercial manufacture of soap. Special groups travelled through Europe to find Jews and subject them to the 'final solution'. German missions were sent to such satellite countries as Hungary and Bulgaria to arrange for the shipment of Jews to extermination camps and it is known that by the end of 1944, 400,000 Jews from Hungary had been murdered at Auschwitz. Evidence has also been given of the evacuation of 110,000 Jews from part of Roumania for 'liquidation'. Adolf Eichmann, who had been put in charge of this programme by Hitler, has estimated that the policy pursued resulted in the killing of 6,000,000 Jews, of which 4,000,000 were killed in the extermination institutions."

6. A crime of such vast and fearful dimensions cannot be expiated by any measure of material reparation. The Jewish people has

/lost

lost a third of its numbers. The bulk of European Jewry has been annihilated: out of every four Jews in Europe three were killed. No indemnity, however large, can make good the loss of human life and cultural values or atone for the suffering and agonies of the men, women and children put to death by every inhuman device. As Frank, one of the principal defendants in the Nuremberg Trial, admitted: "A thousand years will pass and this guilt of Germany will still not be erased." All that can be done is to secure the indemnification of the heirs of the victims and the rehabilitation of the survivors. The Jews have been killed, but the German people continue to enjoy the fruits of the carnage and plunder perpetrated by their erstwhile leaders. In the Biblical phrase, they have "killed and also taken possession." The dead cannot be revived. Their torment cannot be undone. This much, however, can be demanded: that the German people be required to restore the stolen Jewish property and to pay for the rehabilitation of those who have survived.

7. In the absorption and rehabilitation of these survivors Israel has from the start played a major part. When the Nazi persecution began in Germany in the spring of 1933, the Jews of Palestine, as it then was, immediately came to the rescue. An ever increasing stream of German Jews - swollen after the rape of Austria and Czechoslovakia, by Jews from these countries - found its way to Palestine. During the period between the establishment of the Nazi regime in Germany and the outbreak of the Second World War, over 75,000 refugees from the Nazi-controlled countries of Central Europe settled in Palestine. Even during the war years, despite the limitations imposed, Jewish immigration from Europe never ceased. Tireless efforts were made

to /

to bring out Jews from the countries threatened or engulfed by the Nazi invasion. When the war ended, the Jews of Palestine risked their all to bring to safety those who had survived the great slaughter. When in the end the State of Israel was established, its first step was to open its gates to the Jewish Displaced Persons from the areas of the former concentration camps. Between the years 1939 and 1950, nearly 380, 000 Jews were brought over in this way from the Nazi-conquered territories. If to these are added the Jews who immigrated from Central Europe during the pre-war years of the Nazi persecution, the total amounts to over 450,000.

8. Most of the newcomers brought with them little more than their weakened bodies. Their belongings had long been taken from them. Many of them were "hard-core" cases, men and women whose health was broken beyond repair and whom no country but Israel was prepared to accept. Unlike other immigration countries where new arrivals can easily be absorbed into a fully developed economic system, Israel has had to make special efforts, by the large-scale allocation of public funds for investment and maintenance, to create openings for the newcomers. The whole economic regime of the new State was from its first hour made to serve this over-riding task. Though substantial financial support has come from Jews abroad, the bulk of the expenditure involved in the reception and rehabilitation of the immigrants has been borne by the people of Israel. Heavy taxation and a strict regime of economic austerity have had to be imposed, and have been willingly accepted by the people of the country in order to provide homes and a livelihood for these immigrants. It is surely no exaggerated claim to demand that the German people, who were

/responsible

responsible for all this misery and who continue in possession of the economic assets taken from the Jews, dead and alive, should be required to make reparation for the benefit of the survivors.

9. When the victorious Allies at the end of the war allocated the reparations due from Germany, the Jewish people had as yet no locus standi in the community of sovereign nations. As a result, its claims, though morally perhaps stronger than those of any other people that had suffered at the hands of the Nazis, went by default. The time has come to rectify this omission. Israel is the only State which can speak on behalf of the Jewish people - the people, membership of which was the cause of the death of the six millions. Israel has been built up for the specific purpose of providing a refuge for all persecuted and homeless Jews. That responsibility has throughout been conceived in active terms: in the war against Nazi Germany Israel's sons and daughters fought in national formations among the Allied forces. A Jewish Brigade Group took part in the final overthrow of the enemy on the Italian front and played an active role in the rescue and relief of Jewish survivors in various parts of Europe. The recognition by the United Nations of the right of the Jewish people to the re-establishment of its commonwealth was seen as an act of reparation for the wrongs endured by them throughout history, culminating in the Nazi campaign of extermination. Having thus arisen, Israel has made itself responsible for the absorption and rehabilitation of the survivors of that catastrophe. For all these reasons, the State of Israel regards itself as entitled to claim reparations from Germany by way of indemnity to the Jewish people.

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10. The amount to be claimed must be related, on the one hand, to the losses suffered by the Jewish people at the hands of the Germans, and on the other to the financial cost involved in the rehabilitation in Israel of those who escaped or survived the Nazi regime. The Government of Israel is not in a position to procure and submit full data of the Jewish property confiscated and plundered by the Germans, which, as previously stated, is authoritatively estimated to aggregate over six billion dollars. It can base its claim only on the expenditure incurred and anticipated in connection with the resettlement of the Jewish immigrants from the countries formerly under Nazi control. Their number is estimated at about 500,000 which would involve an overall expenditure of one and a half billion dollars. This figure corresponds approximately to the value of exports from Western Germany alone in 1950, which in view of Germany's economic recovery, is likely to increase considerably during 1951. If spread over a period of years, and transferred partly in the form of goods, a reparation payment of this total would not be beyond the capacity of the German people. No settlement of German reparations can be regarded as equitable on moral or legal grounds which would not meet this minimum claim on behalf of the major sufferers of the Nazi regime. Nor can there be any approach to the rehabilitation of Germany among the community of nations until this basic measure of reparation has been effected.

11. The Government of Israel trusts that His Majesty's Government will accept the justice of its claim. It would urgently request that the Occupying Powers should not hand over full powers to any German Government without express reservations having been made for payment of reparations to Israel. It would welcome an early expression of the views of His Majesty's Government

/concerning...

concerning the practical steps which might most effectively be taken towards implementing the proposals outlined in this Note.

London,
12th March, 1951.

Mr Wardrop. (see especially para 6.)

This appears to be a copy of the text of our July Note to M. Elath.

His Majesty's Principal Secretary of State for Foreign Affairs presents his compliments to the Minister of Israel and has the honour to reply to His Excellency's communication of the 12th March regarding Israel's claims against Germany.

2. In the Note in which His Majesty's Government replied on the 20th March, 1951, to the previous Note from the Government of Israel, they made it clear that they had not forgotten the unparalleled sufferings of the Jewish people at the hands of the Nazis. His Majesty's Government recognise that the systematic extermination of members of the Jewish race and the despoliation which accompanied and preceded this destruction constitute the most atrocious crime against humanity which has been perpetrated for centuries. They have constantly in mind the need to remedy as far as possible the injustices perpetrated by the Third Reich.

3. The constitution of the State of Israel has created a haven where a considerable number of the Jewish victims of Nazi persecution have found refuge. The United Kingdom has also given shelter since 1933 to many refugees from Nazi persecution, and other States accorded sanctuary both before and during the war to Jews driven out of Germany and the countries which she occupied.

4. Moreover, recognition of the need to make provision for the rehabilitation and resettlement of victims of Nazism has been given in other ways.

(a) In the Paris Agreement on Reparation concluded in 1946 special provision for this purpose was made in Article 8 - (of which the text is attached at Annex for ease of reference). In pursuance of that Article the Five-Power Agreement of 1946 was reached, which

/provided

provided that of the sum of 25 million dollars and of the non-monetary gold referred to in § A of the Article, 90% should be divided between the American Joint Distribution Committee and the Jewish Agency for Palestine, to be applied for Jewish resettlement and rehabilitation. It was similarly provided that 95% of the heirless property in neutral countries referred to in paragraph C should be applied for Jewish resettlement. A total of some 22 million dollars had up to the end of 1950 been made available from those sources.

(b) In addition to these arrangements, the International Refugee Organisation, a body whose major contributions were subscribed by the Governments of the United Kingdom, France and the United States of America, has paid the expenses of refugees from Europe travelling to Israel, and has made substantial grants to the Government of Israel in respect of institutional cases transferred to Israel.

(c) The proportion of reparation received in respect of the mandate for Palestine by His Majesty's Government was handed over to the Government of Israel by virtue of the Agreement made between the Government of Israel and His Majesty's Government in the United Kingdom on the 30th March, 1950. This transfer of nearly £350,000 sterling must in the opinion of His Majesty's Government be regarded as meeting, to the full extent for which existing international agreements provide, any claims for damage suffered during the course of the war by the territory which now constitutes the State of Israel.

5. His Majesty's Government, whose own receipts of reparation bear little relation to the loss and suffering inflicted upon the United Kingdom in common with other

/members

members of the Commonwealth by acts of the government of the Third Reich, can readily appreciate that the measures referred to above must seem to afford little recompense for what was endured by the Jewish people. They share the view of the Government of Israel that no indemnity can atone for the sufferings of the victims of Nazism and the loss of human life.

6. With regard to paragraph 11 of the Note under reply, His Majesty's Government regret that they cannot see their way to impose upon the Federal Government the task of making reparation to the Government of Israel as a condition prior to the opening of that new phase in the relations between the Allies and the Federal Republic foreshadowed in the announcements of the Foreign Ministers of the French Republic, the United States and the United Kingdom made in New York in September and in Brussels in December of 1950. They wish, however, to point out that the changes which will result from the establishment of this new relationship will not constitute a definitive settlement of all issues arising out of the war with Germany, nor prejudice the consideration at the time of such a settlement of any unresolved questions deemed appropriate to it. In this connexion it may be pointed out that pending a definitive settlement, the date of which cannot now be predicted, His Majesty's Government in the United Kingdom are precluded by the Paris Agreement from asserting either on their own behalf or on behalf of other States further reparation demands on Germany.

FOREIGN OFFICE, S.W.1.

5th July, 1951.

ZL/EE/38656

(1)

C 1491/222

10 Jan

Attd Flag F C157/51

The Minister of Israel presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs, and, on instructions from the Government of Israel, has the honour to refer to his Note of July 5th, 1951, concerning the claim advanced against Germany by the Government of Israel in respect to material amends for the criminal acts committed by Nazi Germany against the Jews in Europe.

2. The Government of Israel appreciates the sentiments expressed by His Majesty's Principal Secretary of State for Foreign Affairs with respect to the monstrous crimes committed by Nazi Germany. It notes with satisfaction the assurance that the British Government has constantly in mind the need to remedy as far as possible the injustices perpetrated by the Third Reich, and submits the following observations on the Note of His Majesty's Principal Secretary of State for Foreign Affairs dated July 5th, 1951.

3. The Israel claim is for collective recompense against Germany; it is not a claim for what is commonly classified as reparations resulting from war damage, nor is it confined to events which took place during the period of war. The policy of exterminating European Jewry and looting its property assumed its most violent and far-reaching proportions in time of war; but it was not merely a war-time policy. It was a policy which had formed a basic tenet of Nazism and was pursued as a primary objective of the German Government from 1933 onward. In the words of the Nuremberg Tribunal: "With the coming of the Nazis into power in 1933, persecution of the Jews became official state policy."

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4. The loss of Jewish life and the enormity of Jewish suffering are beyond the realm of any material computation. On the material side alone, the loss of property is of staggering dimensions. It has been authoritatively estimated that Jewish property confiscated and plundered totalled over six thousand million dollars. In comparison with the enormity of the total plunder, any payments by way of restitution or indemnification would be insignificant. No matter how these claims are assessed, a vast gap will exist between what was taken and what has been recovered.

5. Israel was and still remains the main refuge for victims of the Nazi holocaust. It is true that survivors have been admitted to other countries; but the five hundred thousand immigrants who have settled in Israel represent the largest aggregate of survivors and include the sick and the aged as well as the able-bodied. The expenditures incurred by Israel on this account are enormous in proportion to the population of Israel or its national income. The Note of the Minister of Israel of March 12th, 1951, describes these costs in detail. Reintegration of these survivors into society, their establishment as productive members of Israel's economy, the care of the sick and the aged, are primary concerns of the Israel Government and constitute a major demand on its budget. The sum requested - 1,500 million dollars - covers no more than the cost of settling these survivors in Israel. Without in any way depreciating the contribution of other countries in which victims of Nazism have found refuge, it is evident that the sums spent by Israel for this purpose and the burden imposed on the Israel economy stand in a completely unique category.

6. The Note of His Majesty's Principal Secretary of State for Foreign Affairs recalls the Paris Agreement on Reparation. How-

/ever,

ever, since the Israel claim for recompense is not strictly a reparation claim, the agreement reached at that Conference cannot be regarded as decisive in this context. The Paris Conference was primarily concerned with the traditional basis of reparations - damage suffered in the territory of the claimant nation, or to the property of the nationals of the claimant nation; and amounts expended in the prosecution of war. No claim such as the present Israel claim was considered at that Conference.

7. Similarly, the payment of three hundred and fifty thousand pounds sterling, remitted to the Government of Israel by the Government of the United Kingdom, is not in any way related to the present claim. That sum represents part of the funds formerly vested in the Palestine Custodian of Enemy Property, and transferred to the Israel Government under the terms of the Anglo-Israel Financial Agreement of March 30th, 1950.

8. The Final Act of the Paris Reparation Conference did provide, as His Majesty's Principal Secretary of State for Foreign Affairs recalls in his Note, a certain measure of relief intended for non-repatriable victims of Nazi action. That measure of relief, however, is wholly unrelated to the basis of the present Israel claim. Article VIII of the Final Act recognised atrocities and wrongs, but can hardly have been regarded by its signatories as an adequate measure of relief. Indeed, the provisions of the Final Act were designed solely as a stop-gap and emergency measure of a strictly limited nature. The amounts provided were not calculated in relation either to losses suffered or to costs of rehabilitation and resettlement. The sums so provided did not represent any considerable measure of recompense, nor did they amount to a financial programme for the rehabilitation of the survivors of persecution.

/The

The sources of the funds provided under the Final Act were and remain uncertain. Relatively little was recovered from so-called non-monetary gold, despite the best efforts of the International Refugee Organisation. A substantial part of the funds earmarked from German assets in neutral countries remains even now unpaid, and nothing whatsoever has been recovered from the heirless assets allocated by the Paris Agreement. Thus, although the Final Act of the Paris Reparation Conference may be deemed to have recognised the validity of claims based on Jewish losses, and on expenditures for relief and resettlement, it cannot validly be cited as a barrier of the claim here presented.

9. In his Note, His Majesty's Principal Secretary of State for Foreign Affairs pointed out that the British Government's own receipts on account of reparation bear little relation to the loss and suffering inflicted upon the United Kingdom, in common with other members of the Commonwealth, by the acts of the Government of the Third Reich, and he shared the view of the Government of Israel that no indemnity can atone for the sufferings of the victims of Nazism and the loss of human life. It will surely be agreed, however, that the vast scale and inexpiable nature of these monstrous acts do not exempt those in whose name these deeds were done from making such amends as are possible. The conclusion is rather that Germany should at the very least take reasonable steps to alleviate the misery for which the people of Germany are admittedly responsible. Even full satisfaction of the claim of the Government of Israel for 1,500 million dollars would not reflect compensation in any substantial manner for the enormous material losses suffered by the Jewish people at the hands of the Nazis.

/10.

10. The Government of Israel has taken note of the assurance by the British Government that the new relationship between the British Government and Germany will not constitute a definitive settlement of all issues arising out of the war, nor will it prejudice at the time of such settlement further consideration of any unresolved question. Since the claim of the Government of Israel is special in character, there would seem to be no reason to postpone satisfaction of the claim until such time as a final peace settlement is achieved. Moreover, despite the absence of peace treaties there is constant movement towards the settlement of German problems, including the problems of German indebtedness; any delay in settling the Israel claim at this time would in itself prejudice the settlement of that claim.

11. On September 27th, 1951, Chancellor Adenauer made a statement in the Bundestag of the Federal Republic of Germany admitting that unspeakable crimes were committed in the name of the German people and that these crimes demand moral and material compensation. This acknowledgement of German obligation, however, should not be regarded as a reason for the Occupying Powers to divest themselves of their own direct responsibility. The Occupying Powers, who have had decisive influence and control in German affairs since the end of the war, are the trustees of the interests and conscience of the world community in all matters affecting German crimes and German obligations. It is inconceivable that these powers should not have a positive policy to urge in respect of a claim which has such profound moral and international implication.

/12.

12. The Government of Israel confidently hopes that the British Government will impress on the Government of the Federal Republic of Germany the urgent and compelling necessity to give effective satisfaction to its claim, which constitutes but a limited measure of atonement towards the Jewish people for the unparalleled agony which was inflicted upon it.

Israel Legation,
London,
November 30th, 1951.

1952

E

EASTERN DEPARTMENT

PALESTINE

E 1821 0/9

U.S. Embassy.

Comm'd.

Rec'd. 8/3/52.

German reparations to Israel.

Text of a note handed to U.S. Ambassador by the Syrian acting Foreign Minister on German reparation payments to Israel.

Last Paper

(Minutes)

Reference

-/8

See minute on -/8.

(Print)

(How disposed of)

(Action completed)	(Index)
26/3	

Next Paper

37613

CONFIDENTIAL

Enter

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(Communicated by US Embassy)

Acting Foreign Minister Farra handed me following note today:

"Syrian Government has learned question of reparationspayment by Western Germany to Israel for Jewish losses during Nazi regime is progressing and that final negotiations to this end are expected take place soon.

"Minister Foreign Affairs wishes draw attention to fact that Arab Palestinian refugees whose homes have been demolished and whose property has been confiscated for benefit of Jews who were brought into Palestine are more entitled to these reparations than Israel which is responsible for dispersion of about one million Arab refugees.

"In asking for transfer of these reparations for benefit of Palestine refugees, Syrian Government hopes US Government will support its viewpoint and use its good efforts for (sequestration) of such reparations for just and humane purpose referred to above, according to some system to be set up under United Nations supervision or in international fund, or through reparation office to be agreed upon."

Farra asked me to obtain information on status reparation question and US views on sharing out of sums eventually decided on. He said he was handing similar notes to British and French Ministers but added that since US would probably ultimate burden of any reparations paid by Germany Syria hopes favorable initia- will be forthcoming from US.

CANNON

CONFIDENTIAL

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EASTERN DEPARTMENT

1952

PALESTINE

E E 18210/10

Mr Coulson.
U.K. Delegation
New York.

~~To~~ Mr Wardrop.

1824/5/52 E.
5.3.52.
10.3.52.

Compensation for Arab Refugees.

Neither the French or American Delegations are aware of the future activities of the Palestine Conciliation Commission in connexion with compensation.

Last Paper

Reference

-/3.

(Print)

(How disposed of)

Mr Coulson. U.K. Del, New York. from Mr Wardrop. 20th Mar.

(Minutes)

I see no objection to U.K. Del saying that Mr Berncastle discussed this with us.

It is odd that Mr Coulson does not say anything about seeing Mr Bernastle. We might suggest that U.K.Del get in touch with him.

The inactivity of the P.C.C. is shocking. The Refugee Office can do nothing without direction from the Commission.

12/3

Mr Beaufoy

Draft submitted.

17.3.52.

Mr Evans first 18/3

James C Wardrop 18/3.

19/3.

(Action completed)	(Index)
21/3	3/6

Next Paper

37613

UNITED KINGDOM DELEGATION

to the UNITED NATIONS,

NEW YORK.1.

5th March, 1952.

No. 1824/5/52 E

CONFIDENTIAL

EE 18210/10

Dear Wardrop,

Will you please refer to your letter EE 18210/3 of 1st March about the future activities of the Palestine Conciliation Commission in connection with compensation.

2. It may be a little time before we can act on your letter since there seems to be nobody in the French or American Delegations at present who is aware of what the Commission is likely to do. There seems to be no likelihood whatever of an early meeting of the Commission. The French think that Boisanger will come over from Paris to represent them whenever a meeting is to be held, and are not aware that he has any plans for visiting New York at the moment.

3. Although we will not of course reveal the fact that Berncastle showed you a copy of his report, is there any objection to our saying that he discussed all this with you in London? Otherwise, it is rather difficult for us to lead up to the points made in your letter.

Yours ever,

J. E. Coulson

(J. E. Coulson)

J. C. Wardrop Esq.,
Eastern Department,
Foreign Office,
S.W.1.

UNITED KINGDOM DELEGATION

to the UNITED NATIONS,

NEW YORK.1.

5th March, 1952

No. 1221/52

CONFIDENTIAL

RECEIVED IN C.O.
10 MAR 1952
SENT TO DEPT.
S/S

Will you please refer to your letter EE 1821G/3 of 1st March about the future activities of the Palestine Conciliation Commission in connection with compensation.

2. It may be a little time before we can act on your letter since there seems to be nobody in the French or American Delegations at present who is aware of what the Commission is likely to do. There seems to be no likelihood whatever of an early meeting of the Commission. The French think that Botsanger will come over from Paris to represent them whenever a meeting is to be held, and are not aware that he has any plans for visiting New York at the moment.

3. Although we will not of course reveal the fact that Bernadotte showed you a copy of his report, is there any objection to our saying that he discussed all this with you in London? Otherwise, it is rather difficult for us to lead up to the points made in your letter.

(J. E. Coulson)

J. C. Wardrop Esq.,
Eastern Department,
Foreign Office,
S.W.1.

Registry No. EE 18210/10

~~Top Secret.~~
~~Secret.~~
Confidential.
~~Restricted.~~
~~Open.~~

Draft.

Mr J.E. Coulson CMG
U.K. Del.
New York

from
J. C. Wardrop.

Mr Evans (MES)
first 18/3

James C Wardrop
18/3.

RECEIVED IN DIVISION
19 MAR 1952
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OUTFILE

Thank you for your letter 1824/5/52 E of 5th March about compensation for Arab refugees.

2. We are disappointed to learn that the Commission shows no signs of getting down to business. The Refugee Office can of course make no progress without further direction from the Commission. This is particularly unfortunate in the light of Israel's readiness to discuss compensation as reaffirmed by Sharett in his recent talk with the Secretary of State (see our despatch to Tel Aviv No 35 of 11th March)

3. We can see no objection to your saying that we discussed this question

question with Bencastle.
As a matter of fact, I
understand he is now
in New York. Perhaps
you could get in touch
with him and find out
from him what the next
move is to be.

C 19/3

NOTHING TO BE WRITTEN IN THIS MARGIN.

OUTFILE

(EE 18210/10)

CONFIDENTIAL

FOREIGN OFFICE, S.W.1.

20th March, 1952.

Thank you for your letter 1824/5/52E of 5th March about compensation for Arab refugees.

2. We are disappointed to learn that the Commission shows no signs of getting down to business. The Refugee Office can of course make no progress without further direction from the Commission. This is particularly unfortunate in the light of Israel's readiness to discuss compensation as reaffirmed by Sharett in his recent talk with the Secretary of State (see our despatch to Tel Aviv No. 35 of 11th March).

3. We can see no objection to your saying that we discussed this question with Berncastle. As a matter of fact, I understand he is now in New York. Perhaps you could get in touch with him and find out from him what the next move is to be.

Yours ever

(J.C. Wardrop)

J.E. Coulson, Esq., C.M.G.,
United Kingdom Delegation,
New York.

1952

E

EASTERN DEPARTMENT

PALESTINE

E E 18210/11

Mr Chapman-Andrews,

Beirut

No 72. (1491/6/52)

20. 3. 52.

24. 3. 52.

German Reparation Payments to Israel.

Encloses copy of a note from the Lebanese Ministry of Foreign Affairs of 19th March, asking H.M.G. to intervene on behalf of the Palestine refugees.

Last Paper

(Minutes)

Action taken in despatch to Damascus copied to Beirut for action on —/8.

Christopher Pirie-Gordon

26.3.52

27/3.

26.3.52

Reference

EE 18210/5.

(Print)

(How disposed of)

(Action completed)

26/3.

(Index)

14/6

Next Paper

37613

UNCLASSIFIED

E

No. 72 (1491/6/52)

[redacted] HER Majesty's Minister at Beirut presents his compliments to H.M. Secretary of State and has the honour to transmit to him the under-mentioned documents.

E E 18210/11

E 18210/5

British Legation
Beirut
Lebanon

20th March, 1952

Reference to previous correspondence:

Ref: Beirut tel No 134 of 5th March to F.O.

Description of Enclosure.

Name and Date.	Subject.
Copy of Aide-Memoire.	German Reparation Payments to Israel.

BRITISH LEGATION BEIRUT

3479A 28711—1 (8)

RECEIVED IN C.B.
24 MAR 1952
SECRETARIAT DEPT.

COPY

REPUBLIQUE LIBANAISE

Ministère des Affaires Etrangères
et des Libanais D'Outre-Mer

SERVICE POLITIQUE

Section D'Orient et de la Ligue Arabe

5089/4P/408

AIDE - MEMOIRE

Au cours de son entretien en date du 4 mars 1952 avec Son Excellence le Ministre de Grande Bretagne, le Ministre des Affaires Etrangères a exposé les réserves et le point de vue du Gouvernement libanais sur les négociations parallèles, actuellement en cours, entre Israël et la République Fédérale Allemande d'une part, et Israël et les trois Puissances d'occupation en Allemagne Occidentale, quant à la demande de réparations formulée par Israël du fait des dommages causés aux juifs d'Allemagne sous le régime nazi, ainsi qu'aux juifs des nations occupées par le 3ème Reich Allemand et qui se monterait à trois milliards de dollars.

Le Gouvernement libanais, en accord avec les Gouvernements membres de la Ligue des Etats arabes, considère que les réfugiés palestiniens arabes, victimes de l'agression israélienne et dépossédés de leurs foyers et de leurs biens par ceux-là même qui réclament les réparations en question, doivent bénéficier eux-même de ces réparations.

Cette demande se base d'ailleurs sur le paragraphe 11 de la résolution adoptée par l'Assemblée générale des Nations Unies dans sa 186ème séance plénière en date du 11 décembre 1948, ainsi libellée :

"L'Assemblée générale ...

"11) décide qu'il y a lieu de permettre aux réfugiés qui

"le désirent, de rentrer dans leurs foyers le plus tôt possible et de vivre en paix avec leurs voisins, et que des "indemnités doivent être payées à titre de compensation pour "les biens de ceux qui décident de ne pas rentrer dans leurs "foyers et pour tout bien perdu ou endommagé lorsque, en vertu "des principes du droit international ou en équité, cette "perte ou ce dommage doit être réparé par les gouvernements ou "autorités responsables;"

Les réfugiés palestiniens, dont la situation tragique issue des crimes commis par Israël à leur encontre, est un défi à la morale, à la justice et à la dignité humaine, devraient être les premiers à recevoir les réparations qui seraient décidées en faveur d'Israël, qui s'est déjà dédommagé en fait aux dépenses de ces réfugiés.

Aussi, le Gouvernement libanais demande-t-il l'intervention des Gouvernements des Puissances occupanres pour que les montants des réparations réclamées par Israël soient affectés en premier lieu au dédommagement des refugiés arabes.

Il prie en conséquence Son Excellence le Ministre de Grande Bretagne de bien vouloir faire part de ce qui précède à son Gouvernement à telles fins que de droit.

Beyrouth, le 19 Mars 1952.

1952

E

EASTERN DEPARTMENT

PALESTINE

E 1821 0/12

FROM

Mr Coulson
U.K. Del., New York.
to Mr Wadrop.

No. 1824/9/52E.

Dated

Received in Registry— 7. 4. 52.
10. 4. 52.

Compensation for refugees.

He has discussed with the American Delegation the question of the Refugee Office of the P.C.C., being responsible for the payment of compensation.

References

– 10
3.

MINUTES

I do not much like the questionnaire method, either, at least at this stage. It may be that when the records have been studied, the questionnaire approach, at least to all refugees, may be found to be unnecessary. I do not think therefore we should press the American is open to it.

What is important is that M. Beaucastle should lose no more time in getting on with the examination of the records. If the copies of the microfilm will not be ready for 5 or 6 months, M. Beaucastle might work on the original films in London.

As regards negotiations, the Israelis themselves suggested "that concrete discussions on the question of evaluation should be held immediately with the commission (i.e. the P.C.C.) or with any other U.N. body designated for that purpose"
(P.C.C. Report)

(Print)

(How disposed of)

Mr Coulson U.K. Del., New York, for Mr Wadrop
18 April

(Action completed) 21/4

(Index) 23/6

40429

Report). The Israel foot would probably agree to these negotiations being conducted in New York (by M. Eban?). What the Israelis object to is the P.C.C. conducting general negotiations in the Middle East.

As the P.C.C. may meet within a few days, I think we should telegraph to New York.

M. Peric Gordon

[signature] 16/4

It is not certain whether paragraph 2 of Mr Coulson's letter means what it says, namely that the Americans dislike the idea of the questionnaire, or which is more probable, that there is a typing error and they dislike the idea of abandoning the proposal for a questionnaire. We are prepared to meet them either way, though personally I think the questionnaire a waste of time.

As the Commission is to meet on the 20th I agree with Mr Evans that a telegram is called for and have drafted on the lines of his minute.

Christopher Chilcoby
16.4.52.

I think a letter will do, and have redrafted, taking into account at the same time the point arising out of M. Azcarate's letter at EE 1071/49.

It is known that M. Blandford dislikes the the questionnaire idea & there is no doubt in my mind that the americans in deference to his wishes are against it too — "disinclined to the idea" (There is no need to amend the text by inserting the words "to abandon").

Draft amended accordingly. Pl also see suggested amendment in para 5.

[signature] 17/4

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NOTHING TO BE WRITTEN IN THIS MARGIN.

Minutes.

I had gathered that the inserted words in the text of the despatch had been put in by Mr Evans himself. Hence the confusion. I have now struck them out. It is important that in addition to the continued functioning of the Refugee Office the proposal for negociating with the Israelis should be to the fore. I agree with Mr Evans amendment in paragraph 5.

Christopher Steel

17.4.52.

EW 18/4

(31059) Wt. 28233—243 250m 10/50 G.S.St.

UNITED KINGDOM DELEGATION

to the UNITED NATIONS,

NEW YORK.1.

CONFIDENTIAL

No. 1824/9/52E

7th April, 1952.

EE 18210/12

Dear Wardrop.

Will you please refer to your letters EE 18210/3 and 10 of 1st and 20th March about the Refugee Office of the Palestine Conciliation Commission. I return herewith the draft report of the Refugee Office which you sent me in your letter of the 1st March.

Retained in Department.

2. I have not been able to deal with the question earlier owing to the absence of anyone here in the American Delegation who knew anything about it, but Jim Barco came here last week and I had a talk with him. I went over the views in your letter and he said that, so far as he knew, the American Government were in general agreement with what you said. I have spoken also to the French who thought their Government's views were also the same. Perhaps the only difference is that the Americans seemed rather disinclined altogether to the idea of the questionnaire; they thought that Blandford would not like it at all. If I understand you aright you do not disagree in principle with it; it is rather that you think this process unaided will be too slow. On the other hand, Berncastle (with whom I have been in touch) tells me that the microfilms of the Land Register will not be ready for another 5 or 6 months, and that the examination of these will not produce such rapid results as you seem to expect.

3. The meeting of the Commission has been held up by the absence of the United States representative, Mr. Palmer, who is, however, expected to return from Spain this week and I understand that Boisanger will be here the following week. Boisanger's tentative idea is to call the Commission together about the 20th of April. I have impressed on both the Americans and French that we are anxious to see rapid progress in connection with the matter of compensation and so far as I can see from the conversation with Berncastle the main thing seems to be for the Commission to give the Refugee Office a fairly broad mandate to get on with the detailed work. The question of negotiating with the Governments, however, presents greater difficulties. The Americans seem to hold the view (which indeed they expressed in Paris) that these negotiations could best be done through the diplomatic channel, since the P.C.C. has lost all influence with the Israel Government. Do you agree with this?

4. I should hope to see Boisanger when he comes and if there is anything more you wish me to say either to him or to the Americans I should be grateful if you would let me know very soon.

Yours ever

J. E. Coulson

(J. E. Coulson)

J. C. Wardrop Esq.,
Eastern Department,
Foreign Office, S.W.1.

RECEIVED IN C.O.
10 APR 1952
SENT TO DEPT.

CONFIDENTIAL

No.

Registry
No. EE 18210/12

~~Top Secret.~~
~~Secret.~~
Confidential.
~~Restricted.~~
~~Open.~~

Draft.
J.E.
Mr Coulson CMG
U.K. Del, New York

from
James C Wardrop
17/4

Mr Evans MES
first

Pl see minute
[illegible] 17/4

Type as soon as possible

OUTFILE

18/10.15
18/12

Confidential.

+OC.

Thank you for your letter 1824/9/52 E of 17th April about the Refugee Office of the Palestine Conciliation Commission.

2. You are correct in assuming that we do not disagree in principle with the questionnaire idea, ~~provided~~ though we are not entirely convinced ~~that excessive reliance is~~ that it is necessary, at ~~not placed on it (incidentally~~, least at this stage. ~~I imagine that you intended the word "abandon" to figure between "altogether to" and "the idea" in the ninth line of your second paragraph.)~~

3. From our point of view the important thing is that Bencastle should lose no time in getting on with the examination of the records. If the copies of the microfilms are not to be ready for another five or six months, can't he begin work on the originals in London?

RECEIVED IN DIVISION
18 APR 1952
SENT TO TYPE 18/4
DESPATCHED

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(27274) Wt. 22831—216 325m 11/50 G.S. St.

4. We are not sure that we can wholly share the American view that negotiations would be better conducted through diplomatic channels than through the P.C.C. After all, as the Commission's report said, the Israelis themselves suggested that "concrete discussions on the question of evacuation should be held immediately with the Commission or with any other United Nations body designated for the purpose." Unless there are any other considerations of which we are unaware we feel that that is the right procedure. We have no reason to suppose that the Israelis would object to negotiating in New York: what they do object to is the Commission's conducting general negotiations in the Middle East.

5. In a recent letter to Evans Azcarate assumed

[AZCARATE]

that

NOTHING TO BE WRITTEN IN THIS MARGIN.

Registry
No.

Top Secret.
Secret.
Confidential.
Restricted.
Open.

Draft.

NOTHING TO BE WRITTEN IN THIS MARGIN.

(27274) Wt. 22831—216 325m 11/50 G.S. St.

that we knew all about "the last developments regarding the PCC" which, he said, it was proposed to put into cold storage after its next meeting. To this we could see no objection, subject to the important reservation that adequate arrangements are made for the compensation question to be pursued by the Refugee Office and for negotiations on the subject to be conducted with the Israelis ~~set up for the purpose~~.

6. We should be very grateful if you could manage to see Azcarate and let us know what he can tell you about future plans. We are sorry to keep hammering away at this, but I am sure you will appreciate our anxiety to get a move on.

17/4

(EE 18210/12)

CONFIDENTIAL

OUTFILE

FOREIGN OFFICE, S.W.1.

18th April, 1952.

Thank you for your letter 1824/9/52E of the 17th April about the Refugee Office of the Palestine Conciliation Commission.

2. You are correct in assuming that we do not disagree in principle with the questionnaire idea, though we are not entirely convinced that it is necessary, at least at this stage.

3. From our point of view the important thing is that Berncastle should lose no time in getting on with the examination of the record. If the copies of the microfilms are not to be ready for another five or six months, can't he begin work on the originals in London?

4. We are not sure that we can wholly share the American view that negotiations would be better conducted through diplomatic channels than through the P.C.C. After all, as the Commission's report said, the Israelis themselves suggested that "concrete discussions on the question of evaluation should be held immediately with the Commission or with any other United Nations body designated for the purpose". Unless there are any other considerations of which we are unaware we feel that that is the right procedure. We have no reason to suppose that the Israelis would object to negotiating in New York: what they do object to is the Commission's conducting general negotiations in the Middle East.

5. In a recent letter to Evans Azcarate assumed that we knew all about "the last developments regarding the P.C.C." which, he said, it was proposed to put into cold storage after its next meeting. To this we could see no objection, subject to the important reservation that adequate arrangements are made for the compensation question to be pursued by the Refugee Office and for negotiations on the subject to be conducted with the Israelis.

6. We should be very grateful if you could manage to see Azcarate and let us know what he can tell you about future plans. We are sorry to keep hammering away at this; but I am sure you will appreciate our anxiety to get a move on.

(J.C. Wardrop)

J.E. Coulson, Esq., C.M.G.,

New York.

1952

E

EASTERN DEPARTMENT

PALESTINE

E E 18210/13.

FROM

Mr Chapman-Andrews.

Beirut.

No. 79.

Dated 7. 4. 52.

Received in Registry— 15. 4. 52.

References

—/11
8.

(Print)

(How disposed of)

Beirut.
Mr Chapman Andrews, from Mr Wardrop. 29/4

Copy) Furlonge, Amman, Trouthbeck, Bagdad, Creswell, Cairo, M. Pollock, Damascus, Pelham, Jedda, Evans, Tel Aviv, Rumbold, Paris, Burrows, W. Von, Rapp, Fayid, Coulson, N. York. 29/4.

(Action completed)	(Index)
[signature] 30/4	10, 4/6

German reparations to refugees.

A note has been handed to the Lebanese M.F.A. stating that H.M.G. cannot intervene. Discusses his reply, & requests up to date information on negotiations.

Copied) Amman, Bagdad, Cairo, Damascus, Jedda, Tel Aviv, Paris, W. Von, BMEO Fayid, & UK. Del. N. York.

MINUTES

Mr Chapman-Andrews reports a discussion with the Lebanese M.F.A. on the prospects of the Arabs getting any of the such money as the Israelis may eventually extract from Germany. The M.F.A. mentioned that the German Federal Republic were seeking to establish diplomatic relations with the Arab States but that he thought the Arab States should first of all ask satisfaction from the Germans for Arab claims from ex-German Jews now in Israel who might themselves establish valid claims against the German Govt.

Mr Chapman-Andrews thinks it might be possible to deflect the Lebanese from making so silly an "démarche" if we could in fact put the pressure on the Jews forshadowed in paragraph 8 of our despatch on ——/8, and also indicate to the Arabs that we had done so.

X German General Department can perhaps advise as to what importance is attached to the Federal Republic establishing diplomatic relations with the Arab States. Unless this is considerable, I should not have thought that this was a matter calling for intervention by H.M.G. Even if we succeeded in inducing the Israelis to part with some of their problematical assets from Germany to the Arabs, it would be a matter for consideration whether or not we should tell the Arabs of our part in the matter. In any event it seems doubtful if we should succeed, and we cannot make the attempt until there is some concrete outcome to the present German-Israel talks.

40429

German General Department
for obs first.

Christopher Julius Gordon

James C Wardrop 16/4 16.4.52. [signature]

I have discussed the query at "X" with Central Dept, as it is more their concern than mine. Whilst we hope the German Federal Republic will establish diplomatic relations with all friendly countries, we attach no special importance to Arab-German relations.

The German-Israeli negotiations at the Hague are proceeding slowly (and have to some extent become involved with the concurrent German Debt Conference in London). The Israeli, are disappointed with the German offer, and it would seem undesirable further to complicate an already complicated situation by encouraging the Arabs to stake their claims against the Jews. It may be some months before it would be advisable to do this (and I would not care to be in Her Majesty's Legation at Tel Aviv when it happens).

German Finance Dept shd see
TSL 22/4

Edwards
April 22

NOTHING TO BE WRITTEN ON THIS PAGE

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Minutes.

My own feeling is that this is not a matter in which we should intervene, and that there would (anyway) be no harm in letting the Germans have some initial experience of the sort of imbecile suggestion the Arabs are capable of putting forward. In point of fact I imagine that the Israel dislike of the Germans would be quite sufficient in itself to make the Arabs wish to establish early relations with the Federal Republic whatever they may say now about preliminary conditions.

2. I am not sure how we can reply to Mr Chapman-Andrews at present as the circumstances envisaged are so very hypothetical. First the Jews have to get the money out of the Germans, then we have to suggest they should give some of it to the Arabs, then (most improbably) they have to agree. After this we shall have to decide whether we can properly let the Arabs know of our successful intervention so, that Beirut can ask the Belgians not to make a silly suggestion to the Germans. On the whole I think we can let this side until we see how things develop.

Christopher Woods
23.4.52.

Mr Chapman Andrews also seems to be under some misapprehension. I think we must set him right, and attach a draft letter.

James C Wardrop
23/4.

A.D.M.R.
24/4

(31059) Wt. 28233—243 250m 10/50 G.S.S.

CONFIDENTIAL

No. 79

(1491/10/52)

BRITISH LEGATION

BEIRUT.

7th April, 1952.

E 18210/13

Sir,

I have the honour to refer to my printed despatch No. 72 of the 20th March and to your despatch No. 31 of the 22nd March to Her Majesty's Minister at Damascus on the subject of Arab claims for a share of German reparations to Israel and world Jewry.

2. I handed to the Lebanese Minister for Foreign Affairs on the 1st April a Note on this subject of which I enclose a copy. You will see that the Note follows closely the lines suggested in paragraph 6 of your despatch under reference to Damascus.

3. In reply Monsieur Tacla expressed the hope that Her Majesty's Government would, despite their inability to intervene at present, keep a benevolent eye on the problem with a view, if possible at a later stage, of doing something to help the Arabs.

4. His Excellency went on to say that the Federal German Republic were now seeking to establish diplomatic relations with the Arab countries. He himself thought that the Arab League should be asked to decide that the various member States should, if approached by the German Federal Government, reply that, before normal diplomatic relations could be properly established, satisfaction would have to be given in the matter of Arab claims against ex-German Jews now in Israel, who

/might

Her Majesty's Principal Secretary of State
for Foreign Affairs,
Foreign Office, London, S.W.1.

RECEIVED IN C.B.
15 APR 1952
SEN. TO DEPT.
16
4

CONFIDENTIAL

No. 75

(1491/10/52)

BRITISH LEGATION
BEIRUT.
7th April, 1952.

Sir,

I have the honour to refer to my printed despatch No. 72 of the 20th March and to your despatch No. 83 of the 22nd March to Her Majesty's Minister at Damascus on the subject of Arab claims for a share of German reparations to Israel and world Jewry.

2. I handed to the Lebanese Minister for Foreign Affairs on the 1st April a Note on this subject of which I enclose a copy. You will see that the Note follows closely the lines suggested in paragraph 8 of your despatch under reference to Damascus.

3. In reply Monsieur Tecla expressed the hope that Her Majesty's Government would, despite their inability to intervene at present, keep a benevolent eye on the problem with a view, if possible at a later stage, of doing something to help the Arabs.

4. His Excellency went on to say that the Federal German Republic were now seeking to establish diplomatic relations with the Arab countries. He himself thought that the Arab League should be asked to decide that the various member States should, if approached by the German Federal Government, reply that, before normal diplomatic relations could be properly established, satisfaction would have to be given in the matter of Arab claims against ex-German Jews now in Israel, who might

Her Majesty's Principal Secretary of State
for Foreign Affairs,
Foreign Office, London, S.W.1.

might establish valid claims against the German Government.

5. I cannot help feeling that this attitude is somewhat unrealistic. If, as I imagine to be the case, you are anxious that the international relations of the German Federal Government be established as smoothly as possible, you will no doubt wish me to advise the Lebanese Government against adopting too rigid an attitude in this matter. To this end I shall be glad to know when negotiations between Germany and Israel have reached a point at which you feel able to indicate the readiness of Her Majesty's Government to intervene in favour of the Arab States on the lines suggested in paragraph 8 of your despatch under reference to Damascus. I am inclined to think that a hint of such intervention might be useful in influencing the actions of the Lebanese Government.

6. I am sending copies of this despatch to Her Majesty's Representatives at Amman, Bagdad, Cairo, Damascus, Jedda, Tel Aviv, Paris, Washington, to the Head of the British Middle East at Fayid and to the Permanent United Kingdom Representative at the United Nations.

I have the honour to be
with the highest respe
Sir,
Your obedient Servan

E A Chapman Andrews

COPY

British Legation,
BEIRUT.

1491/9/52.
No. 62.

Her Britannic Majesty's Legation presents its compliments to the Ministry of Foreign Affairs and has the honour to refer to the Ministry's Aide Memoire of the 19th March relative to the conversation of the 4th March, 1952, between His Excellency the Minister for Foreign Affairs and Her Majesty's Minister, on the subject of the negotiations between Israel and the German Federal Republic about reparations.

Her Majesty's Government have given careful consideration to the views of the Lebanese Government and Her Majesty's Legation has the honour, on the instructions of Her Majesty's Principal Secretary of State for Foreign Affairs, to communicate the following reply.

The position of the Allies in regard to their war time claims against Germany is based on agreements concluded between them after the end of hostilities, namely the Potsdam Protocol and the Paris Agreement on reparations. Israel was not a party to either of these agreements. Pending a definitive settlement Her Majesty's Government are precluded by the Paris Agreement from asserting either on their own behalf or on behalf of other states any further reparation demands on Germany.

As the Lebanese Government will be aware however the German Federal Government themselves have taken the initiative in offering to negotiate a settlement with the State of Israel and world Jewry of the claims put forward for the indemnification of Jewish victims of Nazi persecution. The matter has thus become one for direct negotiation between the Israel Government and the German Federal Government respectively. In the circumstances Her Majesty's Government regret they do not feel able to intervene, and feel sure that the Lebanese Government will understand their position in this matter.

Her Majesty's Legation avails itself of this opportunity of renewing to the Ministry of Foreign Affairs the assurance of its highest consideration.

Ministry of Foreign Affairs,

Beirut.

31st March, 1952.

Registry
No. EG 1810/13

~~Top Secret.~~
~~Secret.~~
Confidential.
~~Restricted.~~
~~Open.~~

Draft. letter

E.A.
Mr Chapman-Andrews
CMG OBE
from Beirut.
A.D.M.
Mr Ross

Copies to
Mr Furlonge
Amman
Sir J Troutbeck
Baghdad
Mr Crawshaw
Cairo
Mr Montagu Pollock
Damascus
Mr Pelham
Jedda
Sir F Evans
Tel Aviv
Sir A Rumbold, Bt
Paris
Mr Burrows
Washington
Sir T Rapp
Fayid
Mr Coulson
UK Del. New York.

James C Wardrop
23/4.

NOTHING TO BE WRITTEN IN THIS MARGIN.

FOREIGN OFFICE REGISTRY DIVISION 23 APR 1952 BENTLEY TYPE DETACHED

Wt. 11647/234 250m 7/51 V.P.Co. 51-8078

29/10
29/12

Confidential.

FILE

+10 C.

Your despatch No 79 of 7th April reported that the Lebanese Minister for Foreign Affairs was toying with the idea that the Arab States should make the establishment of diplomatic relations with the German Federal Government conditional upon the satisfaction of Arab claims against ex-German Jews in Israel.

2. This is ~~indeed an~~ really quite absurd idea. ~~X~~ Yacla must realise that if such a condition were put to the Germans there is nothing they could do about it; and we can ~~A~~ only conclude that he assumes our own interest in the establishment of relations between the Arab States and the Federal Republic to be so great that we ourselves would put the necessary pressure on Israel to secure the desired result. That is not the case. We naturally hope the Federal Republic will

will establish relations with all friendly countries, but we attach no particular importance to Arab-German relations.

3. We should not wish you to revert to the question yourself; but if M. Tacla does so you might tender the altogether disinterested view that if the Arab States proceed as he suggests they will get no diplomatic relations with the Germans and merely succeed in making themselves look ridiculous.

4. As regards the fifth paragraph of your despatch, I ought to make it clear that all we have in mind is, as we said said in our despatch No 31 to Damascus, that we should feel entitled at some later stage to exercise some moral suasion on the Israelis to make over to the Arab refugees part of the compensation they might extract from the Germans. But first the Israelis must get their money out of the Germans and then we must exert our suasion; and it is only in the by no means certain event of our succeeding that

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Draft.

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Wt. 11647/234 250m 7/51 V.P.Co. 51-8078

that we could go to the Arabs and take credit for what we had done for them. It is clear, ~~I must repeat~~, therefore, that ~~not the slightest hint should be given to them of what we have in mind~~ they must not be given the slightest hint of our intentions.

5. I am sending copies of this letter to the recipients of your despatch.

Asquith

26/4

(EE 18210/13)

CONFIDENTIAL

FOREIGN OFFICE, S.W.1.

29th April, 1952.

OUTFILE

Dear Chapman Andrews

Your despatch No. 79 of 7th April reported that the Lebanese Minister for Foreign Affairs was toying with the idea that the Arab States should make the establishment of diplomatic relations with the German Federal Government conditional upon the satisfaction of Arab claims against ex-German Jews in Israel.

2. This is really quite absurd. Tacla must realize that if such a condition were put to the Germans there is nothing they could do about it; and we can only conclude that he assumes our own interest in the establishment of relations between the Arab States and the Federal Republic to be so great that we ourselves would put the necessary pressure on Israel to secure the desired result. That is not the case. We naturally hope the Federal Republic will establish relations with all friendly countries, but we attach no particular importance to Arab-German relations.

3. We should not wish you to revert to the question yourself; but if Tacla does so you might tender the altogether disinterested view that if the Arab States proceed as he suggests they will get no diplomatic relations with the Germans and merely succeed in making themselves look ridiculous.

4. As regards the fifth paragraph of your despatch, I ought to make it clear that all we have in mind is, as we said in our despatch No. 31 to Damascus, that we should <u>feel entitled</u> at some later stage to exercise some <u>moral suasion</u> on the Israelis to make over to the Arab refugees part of the compensation they might extract from the Germans. But first the Israelis must get their money out of the Germans, and then we must exert our suasion; and it is only in the by no means certain event of our succeeding that we could go to the Arabs and take credit for what we had done for them. It is clear, therefore, that they must not be given the slightest hint of our intentions.

5. I am sending copies of his letter to the recipients of your despatch.

Yours ever.

James C. Wardrop

(A.D.M. Ross)

E. A. Chapman-Andrews, Esq., C.M.G., O.B.E.,
Beirut.

1952

E

EASTERN DEPARTMENT

PALESTINE

E E18210/14

Mr A. Thyer
Paris
to Mr Wardrop.

10713/27/52.

16. 4. 52.
19. 4. 52.

Israeli - German Reparations.

The French ~~now~~ prefer to leave the Syrian note unanswered. Enquire whether the Americans have answered the note.

Last Paper

(Minutes)

See minute on -/16.

28/4.

References

-/13.
9
8

(Print)

(How disposed of)

(Action completed)	(Index)
14/5	

Next Paper

34092

CONFIDENTIAL.

E 18210/14/E

E

British Embassy,

Paris.

10713/27/52

16th April, 1952.

Dear Wardrop

Just before he went off on leave Rumbold saw Luc who raised the question of the reply to be sent to the Syrian proposal that moneys allotted to Israel as a result of the Israeli-German Reparations Conference at The Hague should be blocked for the benefit of Arab refugees. Luc said that the French had been inclined to agree with the Americans that a reply should be sent to the Syrian note, but that they had now changed their minds and preferred to leave the notes unanswered.

For some reason Luc was particularly anxious that Rumbold should convey this information to you although Rumbold suggested that as the exchanges of views had been taking place in London it would be more appropriate if the French Embassy in London dealt with the matter.

We have had nothing on this question since Foreign Office despatch No. 31 of 22nd March to Damascus and so we do not know, and nor apparently did Luc, whether we and the Americans have in fact answered the Syrian note.

EE18210/8

Yours ever

A. MEYER

J.C. Wardrop Esq.,
Eastern Department,
Foreign Office,
London, S.W.1.

RECEIVED IN G.B.
19 APR 1952
SENT TO DEPT.
4/4

1952

E

EASTERN DEPARTMENT

PALESTINE

E E 18210 | 15

FROM

CONVERSATION.

Yemeni Minister.

No.

Dated

Received in Registry— 16. 4. 52. 19. 4. 52.

German reparations.

Record of a conversation between Sir James Bowker & the Yemeni Minister during which the Yemeni Minister urged H.M.G. to use their influence on behalf of the Arab refugees.

References

(Print)

(How disposed of)

(Action completed)	(Index)
85 16/5.	14/6

MINUTES

Sir J. Bowker had not seen the earlier papers (~~[illegible]~~) Notes have been received from Syria, Lebanon, Jordan and Iraq asking that ~~any~~ H.M.G, the U.S. and French Governments should use their good offices to divert any money Israel may get out of Germany in the current discussions, for the use of the Arab refugees. We gave a reply in our despatch to Damascus No 31 of 22 March copied to other posts (-/8). Beirut has already replied to the Lebanese but Damascus and Baghdad have not done so yet in view of the French desire to give no reply as explained on -/16. ~~Jordan~~ Amman have not reported whether or not they have answered the Jordan note. ~~As~~ A decision is now required on -/16 and -/17.

Christopher Sir Gordon
29.4.52.

See -/16.

30/4.

40429

E 18210/15

Enter E

Submit with pp

ISRAEL-GERMAN NEGOTIATIONS

THE YEMENI MINISTER told me today that the Arab League had adopted a recommendation, at the suggestion of the Iraqi Government, that the Arab League Government should urge the United States and British Governments to use their influence to see that if a settlement were reached between Israel and Germany on the question of compensation for Jews murdered in Germany during the war, the proceeds should be spent on the Arab refugees. The Minister said that he had been instructed to make representations to Her Majesty's Government to that effect on behalf of the Government of the Yemen.

I told the Minister that as far as I knew we had not yet received representations on this subject from any of the other Governments concerned. In reply to his request for my personal views I said that if a settlement on compensation were reached I imagined that the Israel Government would take the view that since the compensation resulted from the murder of 2,000,000 Jews by the Germans during the war, it would be inappropriate that it should be used for any other purpose than for the benefit of Jews. In any case it seemed to me that the difficulty of disposing of the Arab refugee problem arose not from the lack of money, of which we and the Americans had contributed very considerable sums, but from the unwillingness so far of the Arab States to agree to any schemes of resettlement.

R. J. B[illegible]

16th April, 1952.

Eastern Dept. 17/4

Mr. Evans. M 17/4

Mr. Wardrop.

RECEIVED IN C.B.
19 APR 1952
SENT TO DEPT.
22
4

1952

E

EASTERN DEPARTMENT

PALESTINE

E E 18210/16

FROM

Mr Montagu-Pollock
Damascus.

No. 6(S)

Dated 21. 4. 52

Received in Registry— 25. 4. 52.

REFERENCES

4/8

(Print)

(How disposed of)

(Action completed) 14/5.

(Index) 14/6

German reparations.

It appears that the U.S. Government do not propose to reply to the Syrian note at present. No action yet by French Legation.

Rpt) Amman, Beirut, Jedda, W'ra, Fayia, Bagdad Cairo, Paris, Tel Aviv, U.K. Del, N. York.

MINUTES

See also Paris' enquiry at -/14.

M. Gaucher of the French Embassy told me on April 25th that the French Government, despite American pressure, were sticking firmly to their decision not to reply. He asked me whether our representatives in the M.E. had replied; and (not having then seen the enclosed) I said that I assumed Mr Montagu-Pollock had done so and that I knew that Mr Chapman Andrews had (see -/13). I also gave M. Gaucher the gist of the instructions contained in para. 6 of our despatch No 31 to Damascus (at -/8 - spare attached)

Flag A

Flag B

~~today~~ later M Gaucher told me that the French Government were in the process of preparing instructions to their Representatives in the M.E. I gathered that these would require the recipients to exchange views with

their

39984

their British and American colleagues, which does not at first sight seem to advance matters much. But M Gaucher promised to let me know as soon as he had a copy of the telegram. Meanwhile he wondered whether our Missions at Bagdad and Amman had replied to the Govts. to which they are accredited. I said I had no information to suggest that they had and added that, as we had now discovered, Damascus had not after all done so.

Later M. Gaucher rang up again to say that according to a telegram from the French Minister at Bagdad, H.M. Ambassador there had not yet replied and was now asking us for instructions in view of the fact that his French and American colleagues had received no positive ones from their respective Governments.

This is another of those ridiculous and time-consuming muddles into which we get every time there is any question of concerted action between the three of us in half a dozen Arab States. For the moment I think we had better do nothing until we hear again

NOTHING TO BE WRITTEN ON THIS PAGE.

again from the French Embassy, when I have reminded and asked to give us a precise reason for their desire not to reply.

My own preference would be for replying, whether the French like it or no, and for two reasons :-

i) A written communication from one Government to another ought to be answered (unless it is of such an outrageous nature as to be better passed over in silence ;

ii) We have already replied in Beirut and it will look odd if we do not do likewise in the other capitals.

We have now had a similar request for instructions from Baghdad (at. -/17)

Flag C

Meanwhile Sir J. Bowker may care to see this with reference to his talk with the Yemeni Minister (at -/15)

Flag D

James C Wardrop

30/4.

Sir J. Bowker.

After

NOTHING TO BE WRITTEN IN THIS MARGIN.

(27269) Wt. 22832—217 350m 11/50 G S. St

Minutes.

After discussion with Mr Sir J. Bowker I spoke to Mr Palmer, giving him our views and asking him to ascertain those of his Govt. He undertook to do so at once.

~~James C Wardrop~~

B.U. 5th May. 1/5

Spoke to Mr Palmer & M. Gaucher, neither of whom had as yet heard from his Government. Both are now sending reminders and promised to let me know as soon as anything emerged. M Gaucher hinted that the French Govt. might be coming round to the idea of replying to the Arab notes after all, if only "informally".

B.U. again
May 9th

7/5.

Now see blue minute of 12th May

12/5.

NOTHING TO BE WRITTEN IN THIS MARGIN.

E 18210/16

C.13.

Dept.

By bag.

From: DAMASCUS To: FOREIGN OFFICE

Mr. W.H.Montagu-Pollock,
No. 6 Saving,
21st April, 1952.

Repeated to:

Amman	No. 12 (S)
Bagdad	No. 12 (S)
Beirut	No. 21 (S)
Cairo	No. 19 (S)
Jedda	No. 11 (S)
Paris	No. 19 (S)
Washington	No. 20 (S)
Tel Aviv	No. 7 (S)
Fayid	No. 17 (S)
U.K.Del. New York	No. 1 (S)

CONFIDENTIAL.

Addressed to Foreign Office Saving telegram No. 6 of 21st April repeated for information Saving to Amman, Bagdad, Beirut, Cairo, Jedda, Paris, Washington, Tel Aviv, Fayid and U.K.Delegation New York.

Foreign Office despatch No. 31 of 22nd March (EE 18210/8) compensation to be paid to Israel by Germany.

U.S. Legation have shown me telegram from their Embassy in Paris from which it appears that French Government do not propose to reply to Syrian memorandum at present as they apparently expect Israeli-German talks at the Hague to break down: if that happens reply will be unnecessary. French Legation promised to keep me informed but have not raised matter.

2. My U.S. colleague told Acting Minister for Foreign Affairs on 12th April that he had not forgotten Syrian memorandum but was awaiting views of our French colleague.

3. In view of foregoing I propose to delay my reply until I hear further from you.

MONTAGU-POLLOCK.

Dist: Chancery.
H.M.Minister.
Library.

Savings - F.O. (3 copies)
Others (10 ")

25 APR 1952

INWARD SAVING TELEGRAM

FROM DAMASCUS TO FOREIGN OFFICE

E

By bag

DEPARTMENTAL DISTRIBUTION

Mr. Montagu-Pollock
No. 6 Saving
21st April, 1952 R. 25th April, 1952

CONFIDENTIAL

Addressed to Foreign Office telegram No. 6 Saving of 21st April

Repeated for information Saving to Amman, Bagdad, Beirut, Cairo, Jedda, Paris, Washington, Tel Aviv, Fayid, U.K. Del. New York

Foreign Office despatch No. 31 of 22nd March (EE18210/8) compensation to be paid to Israel by Germany.

United States Legation have shown me telegram from their Embassy in Paris from which it appears that French Government do not propose to reply to Syrian memorandum at present as they apparently expect Israeli-German talks at The Hague to break down: if that happens reply will be unnecessary. French Legation promised to keep me informed but have not raised matter.

2. My United States colleague told Acting Minister for Foreign Affairs on 12th April that he had not forgotten Syrian memorandum but was awaiting views of our French colleague.

3. In view of foregoing I propose to delay my reply until I hear further from you.

DISTRIBUTED TO
Eastern Department
Middle East Secretariat
Central Department

0 00 0

1952

E

EASTERN DEPARTMENT

PALESTINE

E E 18210/17

FROM

Mr Bromley, Bagdad. to E. Dept.

No. 1502/13/52.

Dated

Received in Registry— 24.4.52. 25.4.52.

References

EE18210/8 13

(Print)

(How disposed of)

(Action completed)	(Index)
SD 16/5	[illegible] 4/6

German reparations.

Encloses & discusses copy of a note of 29th March, received from the M.F.A., asking H.M.G. to intervene in the matter of German reparations to Israel.

(Copied) Amman, Damascus, Beirut, Cairo, Jedda, Tel Aviv, W'Va, Bayed, N. York (UK Del.)

MINUTES

Iraq has now sent a similar note, and H.M. Ambassador is awaiting instructions as to whether to go ahead in replying. This matter is covered by your minute on or —/16.

Christopher Bromley
28.4.52.

Sec —/16

[illegible] 30/4.

40429

CONFIDENTIAL

British Embassy,

BAGDAD

(1502/13/52)

EE 18210/17

24th April, 1952

Dear Department,

Please refer to Foreign Office despatch No. 31 to Damascus (EE 18210/8) of the 29th March concerning a memorandum from the Syrian Government about the payment of indemnification by the German Federal Republic to Israel in respect of losses sustained by the Jews under the Third Reich.

2. We have received a similar note from the Iraqi Government, of which a copy is enclosed. In view of paragraph 7 of the Foreign Office despatch under reference, we consulted with the U.S. and French Missions in Bagdad, who have received identical notes. The U.S. Embassy have had instructions from the State Department on the lines of those contained in the enclosure in the Foreign Office despatch, ~~and~~ were proposing to reply very much on the lines authorised by the Foreign Office for Damascus. Their draft, on which the State Department has not commented, made no reference to Iraqi Jews and added briefly the point that the U.S. Government had on a number of occasions made clear to the Israel Government its position on reparation demands against Germany. The French Legation has only now received instructions, upon which it asked us and the Americans to wait. These instructions are to the effect that the French Government has informed both the British and the American Governments that it considers it preferable to send no reply to the démarche made by the Arab States, at least until a reminder is sent by the latter, when the position can be reconsidered. No reason was given, but according to a telegram received by the American Embassy here, from Paris, the French Government may have felt that the negotiations between Germany and Israel were likely to break down and that no action on the part of the Western Powers was therefore necessary.

3. We should be grateful for instructions as to whether we should go ahead without the French in replying to the Iraqi Note in terms similar to those authorised for Damascus, which will be quite suitable here, bearing in mind the fact that Beirut have already taken action (their despatch No. 79 of the 7th April). The American Embassy here will probably also seek instructions from the State Department, but the U.S. Ambassador had not given his ruling on that before this bag closed.

EE 18210/13

I am sending copies of this letter to Amman, Damascus, Beirut, Cairo, Jedda, Tel Aviv, Paris, Washington, B.M.E.O. (Fayid) and U.K. Delegation, New York.

Yours ever,

T.E. Bromley

(T.E. BROMLEY)

Eastern Department,
Foreign Office,
LONDON S.W.1.

Received in C.R.
25 APR 1952
26
4

Translation

No.1415/1415/13

Ministry of Foreign Affairs,
Arab Affairs Department,

Bagdad, 29th March 1952.

The Ministry of Foreign Affairs presents its compliments to Her Britannic Majesty's Embassy, Bagdad, and has the honour to state that the information received by the Iraqi Government indicate that the preliminary negotiations between West Germany and Israel about payment of compensation by the former to the latter have been completed a short while ago and that official negotiations on this subject are about to take place. In view of the foregoing, the Iraqi Government consider it the right of the Arab refugees of Palestine that this compensation should be remitted to them instead of Israel the aggressor who was responsible for the displacement of about one million Palestinian Arabs.

The Ministry requests the esteemed Embassy to intervene with Her Britannic Majesty's Government for taking this step lest the spread of this information between the Palestinian refugees, in view of their miserable and wretched condition, would provoke them and thus the security and peace of the Middle East would be exposed to danger.

The Ministry of Foreign Affairs is confident that it would receive from Her Britannic Majesty's Government a confirmation that it would lend much attention to this question and would use all its influence on West Germany to prevent Israel receiving this compensation on the one hand, and to induce the authorities of West Germany of the right of the Arab refugees to receive such compensation as a part of what they have lost in Palestine, on the other hand.

In awaiting the result of the efforts to be exerted by the esteemed Embassy with Her Britannic Majesty's Government in this respect, the Ministry avails itself of the opportunity to express its highest consideration and esteem.

Her Britannic Majesty's Embassy,
Bagdad.

1952

PME

EASTERN DEPARTMENT

PALESTINE

E E 18210/18

Sir H. Knight

Beirut

To Mr Evans.

A.C. 48

19. 4. 52.

26. 4. 52

Last Paper

References

(Print)

(How disposed of)

Dft Sir H. Knight, Beirut from Miss Waterlow 2 May.

(Action completed) 5/5

(Index) 17/5

Next Paper

Compensation.

The French representative on U.N. has proposed that the P.C.C. should meet on 21st April in New York to prepare a programme of activity for the coming year. Also proposed that Berncastle have his H.Q in Jerusalem. Copied, Beirut, Amman, Damascus, Tel Aviv, Bagdad, Cairo, BMEO & New York.

(Minutes)

Perhaps Mr. Pirie Gordon would draft a reply.

Mr. Pirie Gordon

[signature] 29/4

We know very little about what is going on and seem to depend mainly on rumour. Such information as I have got, which I have incorporated in the draft, comes from the U.S. Embassy who showed me a State Dept. telegram on the subject. Apart from this the Americans seem as much in the dark as ourselves. Draft herewith

Christopher Pirie Gordon

30.4.52

I have added (or rather inserted) a paragraph. If you agree, pl issue the draft.

[signature] 5/5

I agree

Christopher Pirie Gordon

1.5.52

X ew 5/5

34092

United Kingdom Delegation
Advisory Commission UNRWA
BEIRUT
c/o British Legation,
BEIRUT.

(AC 48)

CONFIDENTIAL

19th April, 1952.

E 1821/0/18

My dear Evans,

I understand that the French representative on the United Nations has proposed to the United States and Turkish representatives, that the Palestine Conciliation Commission should meet on April 21st in New York to prepare a programme of activity for the coming year.

2. I also understand that it is proposed that Berncastle of the P.C.C. should have his headquarters at Government House, Jerusalem, to open the refugee office there to deal with compensation and to establish Arab claims on an individual basis, and that he may ask UNRWA's help over questionnaires, etc.

3. It was said that the compensation question is now of importance owing to the prospect of Israel obtaining compensation from Germany, but from what I have seen in the press recently, this prospect does not look bright.

4. I should be grateful for any information regarding the activities of the P.C.C.

5. I am sending a copy of this letter to Beirut, Amman, Damascus, Tel Aviv, Bagdad, Cairo, B.M.E.O. and U.K. Delegation, New York.

Yours sincerely,

H. Knight.

(H.F. KNIGHT)

T.E. Evans, Esq., O.B.E.,
Foreign Office,
London, S.W.1.

RECEIVED IN C.S.
23 APR 1952
SENT TO DEPT.
28/4

Registry No. EE 18210/18

OUTFILE

Bag 6/5 2/10 2/12

+ OC.

~~Top Secret.~~
~~Secret.~~
Confidential.
~~Restricted.~~
~~Open.~~

Draft. To

Sir Henry Knight KCSI, CIE
c/o. Beirut
from

Mr T.E. Evans.

NOTHING TO BE WRITTEN IN THIS MARGIN.

RECEIVED IN DIVISION
- 1 MAY 1952
SENT TYPE 1/5
DESPATCHED

[signature] 30.4.52

Thank you for your letter of 19 April about the P.C.C. Unfortunately we have not as much news on this subject as we should wish.

We do know, however, that a meeting of the P.C.C. was called, as you say for 21 April and that Boisanger told the Americans and the Turks that he wanted to plan a future programme and also discuss the Refugee Office report

We gather that the State Department raised no particular objection to discussing the compensation issue, which they said was mainly a question for Palmer, but were chiefly concerned that the Commission should keep off other problems and virtually go into cold storage.

We have not yet heard what actually happened at the meeting, or indeed if it in fact took place. We have asked our Delegation to let us know what is going on and will tell you as soon as we get anything definate.

I would add for your information that we have been told by the Americans, who themselves got it from Boisanger, that Trigvie Lie has decided to dispense with the services not only of Anderson, which might have been expected, but also of Azcarate. I do not know if this is true and Azcarate himself in a recent letter gave no indication that he was going.

I am sorry not to be able to tell you more but as you see it is no easy matter to keep track of the Commission and their plans.

We are in general agreement with the Americans subject to the following (1) Bernadotte should be authorised to proceed with establishing, on the basis of land records etc, the amounts involved in individual claims. We are not convinced that questionnaires are necessary at least at PTO

(12783) 7/51 D.L.

this stage) (2) The P.C.C. should take up the Israel offer to negotiate on the compensation question. Our idea is that these negotiations could & should be conducted in New York.

M.G.

1.5.52.

NOTHING TO BE WRITTEN IN THIS MARGIN.

(EE 18210/18)

CONFIDENTIAL

FOREIGN OFFICE, S.W.1.

2nd May, 1952.

OUTFILE

Thank you for your letter of the 19th April about the Palestine Conciliation Commission. Unfortunately we have not as much news on this subject as we should wish. We do know, however, that a meeting of the P.C.C. was called, as you say for the 21st April and that Boisanger told the Americans and the Turks that he wanted to plan a future programme and also discuss the Refugee Office report.

We gather that the State Department raised no particular objection to discussing the compensation issue, which they said was mainly a question for Palmer, but were chiefly concerned that the Commission should keep off other problems and virtually go into cold storage. We are in general agreement with the Americans subject to the following (1) Berncastle should be authorised to proceed with establishing, on the basis of land records etc., the amounts involved in individual claims (we are not convinced that questionnaires are necessary at least at this stage) (2) The P.C.C. should take up the Israel offer to negotiate on the compensation question. Our idea is that these negotiations could and should be conducted in New York.

We have not yet heard what actually happened at the meeting, or indeed if it in fact took place. We have asked our Delegation to let us know what is going on and will tell you as soon as we get anything definite.

I would add for your information that we have been told by the Americans, who themselves got it from Boisanger, that Trigvie Lie has decided to dispense with the services not only of Anderson, which might have been expected, but also of Azcarate. I do not know if this is true and Azcarate himself in a recent letter gave no indication that he was going..

I am sorry not to be able to tell you more but as you see it is no easy matter to keep track of the Commission and their plans.

(T.E. Evans).

Sir Henry Knight, K.C.S.I.,C.I.E.,
c/O Beirut.

1952

E

EASTERN DEPARTMENT

PALESTINE

E E 18210/19

FROM

Sir F. Evans,

Tel Aviv

To E. Dept.

No. (10314/31/52)

Dated

Received in Registry— 25.4.52. 1.5.52.

References

EE18210/8 13

(Print)

(How disposed of)

E. Dept

(Action completed) 81 14/5

(Index) 17/6

German reparations to Israel.

Does not think it advisable to try to force Israel to share their German reparations with the Arabs.

MINUTES

I must confess that I fully agree with Sir F. Evans assessment of the probable Israel reaction to any suggestion from us that they should make over to the Arabs part of anything they may get out of the Germans. The parallel between the fate of the Jews in Europe and the Arabs in Palestine is, in my opinion, rather closer than Sir F. Evans suggests, but that very fact would merely serve to stir the fundamental self righteousness of the Israeli into indignant protest and, as is suggested in the despatch, imperil the ultimate chances of the Arabs getting anything. Tel Aviv has had a copy of our answer to Beirut on -/13 and I do not think this calls for a reply.

Christopher Piñ Corbey
4.5.52.

~~13/5.~~

M.E.S. for comments.

James C Wardrop
15/5.

varying views can be held on the parallel (if any) between Jewish claims against Germany & Arab claims against Israel. I agree that no useful purpose would be served by

39984

arguing the case with the Israelis.

The point is that the Israelis ~~plea~~ interalia plead their inability to pay when the question of Arab compensation is raised. If they get something substantial from Germany, they will not be able to use this argument to the same extent.

At the same time the Israelis have asked for our help vis à vis the German Govt. In these circumstances there is some justification for our telling the Israelis what we think they ought to do about compensation for Arab refugees.

[signature] 21/5

Eastern Dept.

I am sorry to have held this up.

I think Sir F Evans' fears should by now have been laid to rest by our letter EE 18210/13 of 29th April to Mr Chapman Andrews; and I doubt if we need pursue the matter.

[signature] C Wardrop
28/5.

I agree. Have the Israelis not now agreed to release the Arab balances?

[signature] Ross
28/5

Ross 29/5

Mr Wardrop again

That

NOTHING TO BE WRITTEN ON THIS PAGE.

NOTHING TO BE WRITTEN IN THIS MARGIN.

That is so (please see Washington Savingram No 538 of 22nd May at ER 1155/5), though how the Israelis propose to do so in their present economic difficulties is hard to see. The question of compensation for the refugees is, however, of a very different order of magnitude. When the Israelis last autumn informed the Palestine Conciliation Commission that they were prepared to negotiate. The sum involved would be far beyond their means and they could not afford it without help from outside (i.e. the United States).

James C Wardrop
29/5

Thank you.

A.D.M.R.
29/5

(31059) Wt. 28233—243 250m 10/50 G.S.St.

E E 18210/19

E

BRITISH LEGATION
TEL AVIV

(10314/31/52)
CONFIDENTIAL

25th April, 1952

E E 18210/13

Dear Department,

In his despatch No. 79 of April 7th Her Majesty's Minister at Beirut makes reference to the question of associating Arab refugee claims on Israel with Israel's claims on Germany. He takes up the suggestion in paragraph 8 of Foreign Office despatch No. 31 of March 22nd to Damascus that Her Majesty's Government might feel entitled to exert moral suasion on the Israelis to use part of the compensation received from Germany to indemnify Arab refugees from Israel.

E E 18210/8

2. In the light of Mr. Chapman-Andrews's request in his fifth paragraph of his despatch under reference, I think I must record my misgivings at the prospect of attempting to pursue any effort to link German reparations with Arab claims. There can, of course, be no doubt that we should lose no useful opportunity to persuade the Israel Government to compensate the Arab refugees who have lost their home and their property, the benefits of which Israel now enjoys. But the Israelis can see no parallel, let alone possible connexion, between their claims on Germany and Arab claims on them. The first, as they see it, arises from the German national policy of expropriation and extermination of the Jews productive of inconceivable suffering not only to the dead, but to the survivors. They would maintain, and I think with some justice, that the position of the Arab refugees arose, not from any similar Jewish policy, but primarily from the actions of the Arabs' own leaders who encouraged and even demanded their flight, in order to facilitate the Arab intention of destroying the new Jewish State.

I think incidents like Deir Yassin were the main cause of the Arab exodus.

3. This being the case, and in the absence of means of exerting effective pressure on the Israel authorities, I can see no hope of getting anything but the most curt rejection of any representations which might be made to them along the lines contemplated. The Israelis have more than once reiterated their willingness to enter into negotiations with the Arab countries, in which might lie some hope of settlement, however partial, distant, or long delayed, but the Arabs will have none of it except on fundamentally unacceptable terms. The payment of reparations by the Germans might

/ so

Eastern Department,
Foreign Office,
London, S.W. 1.

1 MAY 1952
SENT TO DEPT.

so improve the Israel economic situation that the settlement of Arab claims could become a matter of practical consideration. To try to force, by even the gentlest methods, the Israelis to turn over directly a share of German payments to the Arabs might so harden their attitude as to make settlement of Arab claims even more remote than it now is.

4. I am sending copies of this letter to the recipients of the Beirut despatch under reference, and to Wahnerheide.

Yours ever,

F. D. Evans

1952

E

EASTERN DEPARTMENT

PALESTINE

E E18210/20

FROM

Mr Coulson,
U.K. Del. New York.
Dr Wardrop.

No. 1824/16/52 E

Dated

Received in Registry— 28. 4. 52.
3. 5. 52.

Compensation.

Encloses & discusses a working paper submitted to the Palestine Conciliation Commission containing practical suggestion for the commission's future activities in connexion with compensation.
Discusses also the maintenance of a P.C.C. representative in Jerusalem.

REFERENCES

-/12.
EE1071/74/51

MINUTES

I would welcome the comments of M.E.S. The departure of Azcarate seems to be confirmed which is a pity, but it looks as though the Americans are not going to be as difficult as we feared.

Christopher Pirie Coulson
7.5.52

M.E.S.

I do not think the appointment of M. Vigier would be justified. What would he usefully do? Granted the Govts represented on the Commission agreed in Paris to keep someone in Jerusalem. An office boy would do. My own idea has always been that M. Bernadotte would have an office in Jerusalem & it now looks as if this is what will happen — see -/21 & -/22

As regards scrutiny of individual claims, the suggestion now is that there should be further consultations with U N R W A etc. It is interesting to note that, as we suspected a good deal of progress can be

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made from the examination of the microfilms (i.e. without questionnaires), though this too would take time — see paras 22 ff.

[signature] 13/5

M. Price Gordon

In view of -/21 M. Vigier will presumably not be going to Jerusalem. It does not seem to matter much one way or the other. I think the position is more satisfactory than could have been expected.

[signature] 15.5.52.

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UNITED KINGDOM DELEGATION

to the UNITED NATIONS,

NEW YORK.1.

28th April, 1952.

CONFIDENTIAL

No. 1824/16/52 E

E E 18210/20

Dear Wardrop.

Will you please refer to your letter EE 18210/12 of 18th April about the Palestine Conciliation Commission? I have endeavoured to keep informed on what is going on, though this has not been too easy owing to the fact that the American and French Delegates invariably leave New York as soon as the Commission's meetings are over, and we ourselves have too many meetings on other subjects for me to be able to chase them. However, I have now seen Boisanger several times and I lunched today with Ely Palmer. I have also been in touch with Berncastle. I think that the general picture is reasonably satisfactory from our point of view. The Commission has held a number of meetings without any positive results and it seems likely that the last of the series will be one fixed for today. As soon as I have a definite statement of the conclusions I will let you know. In the first place, I send you the enclosed copy of a paper which Berncastle is putting before the Commission today, and which he has given me confidentially. I think you will agree that if something on the lines he suggests emerges from the Commission some progress should be made. You will see that he deals with the question of examining the microfilm which you raised in your letter and which I mentioned to him. It does not really seem that much can be done at present. This is not as important as it might have been since the films will apparently now be ready in July. In any case I gather that it is the intention that they should be sent out to Palestine as soon as possible.

2. As I see it, the compensation question falls into three parts. There are first of all the questions of blocked accounts and of negotiating the total amounts of compensation due. On this, I think there is no difference of opinion between the Americans, French and ourselves. Everybody is eager to make progress. The third question is that of the individual claims. From what Boisanger and Berncastle told me I derived the impression that the Americans are rather lukewarm, the reason being that they fear objections from Blandford, from whose organisation the questionnaire will have to be sent out. From my talk with Palmer, however, I do not think this is necessarily the case. They feel that, as the settlement of individual claims must clearly follow the agreement on the total compensation, it is not quite so urgent, though that does not mean they are opposed to making such progress as is possible at present. They do not however think that they can judge from here whether or not any attempt to issue the questionnaire will have a bad effect on the operations of U.N.R.W.A. Palmer seemed confident that the outcome of the Commission's discussions would be to send Berncastle out to the Middle East again where he would be charged with pursuing the general question of compensation with the Israelis and Arabs and where he could also look into the possibility of making progress with the individual claims. So long as the

/matter

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Eastern Department,
Foreign Office, S.W.1.

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3 - MAY 1952
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matter is thus left in Berncastle's hands, I do not think we need feel nervous about the results. At any rate, I have on several occasions impressed both the Americans and French with the urgency which we attach to progress on all different /the compensation fronts.

3. The only question which seems to have caused any trouble is that of the maintenance of a representative of the Commission in Jerusalem. Berncastle told me that the French are in favour of appointing a man called Vigier. You may remember that he worked with General Riley and was largely responsible for drafting the armistice agreements between Israel and the Arab States. I have seen a certain amount of him here since he worked on the Collective Measures Committee report last year, and I should think that he was just the type of man who should have this job if it is to be taken up at all. The State Department, however, are at present opposed to the Commission appointing anyone at all and have said that the presence of General Riley in Jerusalem is adequate to ensure United States representation there. I have told both French and Americans that, not being members of the Commission ourselves, we hardly feel this is a question on which we should wish to lay down the law. During the discussions in Paris, our view had been, I thought, that we were not greatly in favour of the Commission having a representative in Jerusalem, but that we had eventually decided not to raise any objection (the most relevant telegrams are No.243 Saving ASDEL of 20th December 1951 from Paris and Foreign Office telegram to Paris No.201 Saving of the 24th December). We should not however expect this representative to be a very senior one, but rather someone who would take no initiatives and who would confine his activities to reporting to the Commission any developments which might concern it. Nor would we wish any significant expense to be incurred. With this in mind, I thought Vigier would be a fairly suitable appointment. Palmer was somewhat concerned as to whether or not the Americans were committed to an appointment of this kind. I told him that, if we had been directly concerned, I thought we should consider ourselves to be morally committed. Both they and we had agreed to insert in our original resolution a passage dealing with this appointment. It so happened that, because of Arab manoeuvres, this paragraph had dropped out of the final resolution. We were therefore not legally committed but it was difficult to escape the conclusion that it was a matter on which we had actually agreed with the French and Turks at the time. I do not know what the outcome of all this will be and I doubt if it affects us very much, but I think if it is eventually decided to appoint Vigier, he would give us little trouble, more particularly as he is accustomed to working with General Riley.

4. I should only add that I have not seen Azcarate. He is no longer employed by the Secretariat and his view on the present situation can no longer be of much value. Indeed I do not think he is in New York. The American and French Delegations have been extremely cooperative in discussing the question with me. I have not bothered with the Turks as I gather they are not taking an active part.

Yours

J. E. Coulson

(J. E. Coulson)

RESTRICTED
A/AC.25/W.78
24 April 1952
Original: ENGLISH

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE.

PRACTICAL SUGGESTIONS FOR THE COMMISSION'S FUTURE ACTIVITIES IN CONNECTION WITH COMPENSATION

(Working paper prepared by the Secretariat)

1. The practical work to be done divides itself into two branches:-

   (a) Establishment of the global amount of compensation due to the refugees, and, following from this, the amount of Israel's liability; and

   (b) Establishment of the amount due to each individual refugee.

2. To complete the operation of payment of compensation the work in both branches will eventually have to be done; but the two are independent in the sense that one can be done without the other.

3. Dealing first with the global assessment, it seems fair to say that the parties primarily concerned are the Government of Israel and the refugees. The Arab States are not concerned except in so far as they can claim to represent the refugees; but there is no evidence that these latter desire representation by the former. So far as compensation for abandoned property is concerned, the basic relationship between the Government of Israel and the refugees is a simple one of debtor and creditor.

4. Because of the political situation, the refugees are unable to pursue their claims themselves. They have no more invited the Conciliation Commission to represent them than they have invited the Arab States. Nevertheless, the General Assembly's resolution of 14 December 1950, which directed the Commission to set up a Refugee Office, may be construed as imposing an obligation on the Commission in this connection, and it behoves it to consider how it could intervene so as to establish a compensation figure which would be accepted both by the Israel Government and the refugees.

5. It is important that this figure should be established quickly because, although Israel has not the means of payment at present, the situation may change rapidly. Israel is pursuing a claim against the West German Government for compensation for Jewish property of which the owners cannot be traced. The amount of this claim is many times the amount of any possible claim by the Arabs against Israel. Press reports indicate that the claim is likely to be at least partly successful. World Jewish opinion would be likely to favour the use of funds thus obtained for the purchase of Arab land in the National Home of the Jewish people or, in other

words, for the payment of compensation for abandoned refugee property.

6. The Commission's Refugee Office made a global evaluation of the abandoned immovable property. Every effort was made to be impartial and the figure arrived at contains no "margin for negotiation". The figure was disclosed to the Arab and Israeli delegations at the Paris conference; and a summary of the methods by which it was arrived at was published in the Commission's progress report to the General Assembly. Despite this publicity the figure has not been publicly and seriously criticised by either party. At the same time it has not been accepted by either party.

7. At the Paris conference the Israel delegation, reaffirming that it was ready to contribute to the settlement of the question of abandoned Arab property, suggested that concrete discussions on the question of evaluation should be held immediately with the Commission or with any other United Nations body designated for the purpose. To ignore this suggestion might well bring the Commission under fire from both Arab and Jewish delegations at the next General Assembly,

8. The Israel delegation qualified its offer to discuss by saying that the following factors should be borne in mind:

(a) the property had been abandoned as a direct consequence of Arab aggression and the state of the property had been affected by hostilities in 1948 and by resulting events;

(b) Israel's ability to pay was affected by the hostile Arab economic measures against her and by Israel's material obligations towards Jewish immigrants who left Arab countries as a result of hostile Arab policies;

(c) Jewish property had been abandoned in Arab Palestine and in certain Arab countries, notably Iraq.

Neither (b) nor (c) are relevant to the valuation of the abandoned Arab property; and, as regards (a) the expert committee appointed by the Israel Foreign Ministry to discuss the question of compensation with the Commission's Refugee Office agreed that the property should be valued according to its condition on 29 November 1947.

9. Israel has agreed on the principle of her liability for compensation. It remains to get her agreement on the amount of her liability. The first step in this connection is to get her agreement on the value of the property to be

/compensated.

compensated. The question of what amounts should be set off against this value to arrive at the amount of her net liability logically comes later.

10. But it would be of little use agreeing with Israel on a value unless the figure were arrived at in such a way that the refugees could accept it, or it could be demonstrably shown that they ought to accept it. An attempt should therefore be made to associate the refugees with the determination of any figure which might be established. At the Paris Conference the delegate of Egypt stated in regard to the question of the procedure to be adopted for the evaluation of refugee property:- "secondly, the refugees must be represented during the different stages of this operation for the purpose of seeing that their interests are protected and giving the benefit of their experience to the United Nations bodies entrusted with the operation".

11. As already mentioned elsewhere, it is unlikely that the refugees could elect a representative or representatives. The Conciliation Commission should therefore aim at setting up a mixed, technical, committee on which would serve a land expert or experts nominated by the Israel Government; a similar expert or experts of unquestionable qualifications and integrity selected from among the refugees by the Commission; and a neutral, technical chairman appointed by the Commission. The sole task of the committee would be to determine the value of the abandoned Arab property in Israel. This accomplished, the committee might be authorised to proceed to the valuation of the abandoned Jewish property in Jordan.

12. It would be necessary to insist that the members of the committee should be technically qualified in land valuation. It is to be hoped that the Israel Government would nominate Mr. M. Ellman, the Chief Valuer, who is attached to the Ministry of Justice; and a tactful suggestion might be made to this effect, since Mr. Ellman is an obvious choice. From among the refugees the Commission should appoint Mr. S. Hadawi, who is now the Director of Land Taxation in the Jordan Government. The chairman should be the Commission's own Land Specialist. It is almost certain that a committee thus composed could reach agreement. The Commission might feel, however, that it had to appoint Mr. Tannous on the Arab side, since the General Assembly heard this gentleman on behalf of the refugees. In that case Mr. Hadawi should be appointed as well, since, if the Arab side were represented solely by Mr. Tannous, it is -

unlikely that agreement would be reached. If there were two representatives on the Arab side there would have to be two on the Israeli side, and Dr. Joseph Weitz, Head of the Land and Forestry Department of the Jewish National Fund, is suggested as a suitable second member. Of course, the Israel Government would be free to nominate anyone it likes, provided only that he were technically qualified.

13. The Commission would have to decide whether it would ask the Israel Government to accept in advance the findings of the Committee in the event of their being unanimous. Alternatively it might leave acceptance to the power of moral suasion, since it would be difficult for the Government to repudiate the unanimous findings of a committee on which its own nominees had served.

14. The setting up of such a committee would obviously involve complicated negotiations which could best be carried on by a representative of the Commission on the spot. It is suggested that in the first instance the Commission should address a communication to the Israel Delegate to the United Nations to the effect that the Commission has been giving careful consideration to the suggestion made by the Israel delegate at the Paris conference; that it welcomes the suggestion but feels that the refugees should be associated with any discussions which may take place; that it considers that the best results are likely to be achieved if the discussions are held on a technical level and are confined at first to the question of the value of the abandoned Arab property; and that if the Government agrees, the Commission is prepared to send a representative to Palestine to make arrangements for such discussions and to take part in them. An early reply should be requested.

15. Alternatively the Commission might address a communication to the Israel delegate informing him that it has given careful consideration to the suggestion made in Paris, and is sending a representative to Palestine to hear the views of the Government on the form which such discussions should take; to represent the

/views

views of the Commission thereon; and to make such practical arrangements as might be agreed upon. In any case it is important that the suggestion of discussion should not just be ignored.

16. Turning now to the question of the individual assessment of compensation, it is obvious that this is work which will have to be done before compensation can be paid. It is equally obvious that it will take time, possibly several years. It is inconceivable that the United Nations, whose resolution on the partition of Palestine was primarily responsible for the plight in which the refugees now find themselves, will in the long run allow the refugees to go uncompensated for the property of which they have been deprived. It is true that the funds for paying compensation are not at present available, but that is a situation which may change at any time. If the start of the work is postponed until after the necessary funds have become available the Commission may be charged with unnecessarily delaying payment, and in the meanwhile many of the beneficiaries may die or be reduced to despair.

17. The starting of the work, even on a small scale, would give a valuable fillip to the morale of the refugees. Furthermore, the Arabs will often go to great lengths to exploit a "nuisance value". Whilst they remain refugees they have such a nuisance value which some of them feel they can exploit to compel payment of compensation. They would be unlikely to abandon this bargaining position by accepting settlement elsewhere if they had the slightest suspicion that compensation would be dropped. On the other hand, if they felt that compensation were being actively pursued, they would be so much the more likely to accept re-settlement.

18. It would be preferable that all the work connected with the individual assessment of compensation should be handled by a separate organisation responsible only to the Conciliation Commission (e.g. a modified and expanded Refugee Office) but much of the work, such as the distribution and collection of questionnaires, the publication of notices, etc. would be of a mechanical and routine nature, for which the machinery already exists in U.N.R.W.A.

/Many

Many of the refugees who were interviewed by the Refugee Office expressed a lack of confidence in the U.N.R.W.A. personnel with whom they came into contact, that is the locally recruited, , Arab personnel. Nevertheless, to set up separate machinery for tasks such as those mentioned above would result in unnecessary expense, and the co-operation of U.N.R.W.A. would probably have to be invited.

19. That being so, it would appear only reasonable that U.N.R.W.A. should be consulted on the form of questionnaire, the contents of public notices, and similar matters.

20. The Refugee Office prepared a draft form of questionnaire which appears as an appendix to its report. The form could be modified in the light of any comments which U.N.R.W.A. might make. For example, question 36 which reads "What was the market value of the property on 29 November, 1947?" could be omitted altogether, since the information which it would elicit would be of little real value to the process of individual valuation. The object of including the question was to put an end to the astronomical claims of some Arab politicians. If the total of individual claims, no matter how much exaggerated, came to millions, it would be useless for the politicians to talk of billions. Similarly, the declaration at the end of the form could be omitted if U.N.R.W.A. objected to it. Criticism might be levelled against the length of the form, and it might be shortened, but not very much. It contains 37 questions. A similar form prepared by the leading Palestinian Arab expert in this field contained sixty-one.

21. The intention of the Refugee Office was that the value and ownership of each parcel of land and of the various interests therein should be established from a study of the completed questionnaires, the micro-photographs of the mandatory government's land registers, and the tax records. This is undoubtedly the best way of setting about the task.

22. If, however, there were insuperable objections to the issue of a questionnaire the problem could be approached in the first place through the micro-photographs. This method would be

/applicable

pplicable only to the part of the territory, roughly about three-quarters and including the most valuable part, to which the mandatory government had applied the Land (Settlement of Title) Ordinance. One of the processes in the application ~~of~~ of this ordinance was the division of the land into numbered parcels identifiable on a map. Subsequently, every disposition of a parcel by way of sale, mortgage succession, etc., was recorded in the land register. As regards the rest of the country the information in the land register is inadequate and often misleading. It is based on information furnished by the alleged owner. An owner of, say fifty dunums would register it as five dunums in order to escape taxation. Boundaries are often unidentifiable on any map, and the law which made it obligatory to register changes of ownership was honoured more frequently in the breach than in the observance.

23. As far as the "settled" part of the country is concerned the micro-photographs will show the number, area, location and description of each parcel and the names and interests of the owners. They will not show the value unless there happens to have been a disposition subsequent to land settlement. Even then the value shown will be the value as at the date of the disposition and not the value in 1947 or 1948. The information obtained from the photographs would therefore have to be supported by information from the tax records when available, or failing that, from the valuer's own knowledge.

24. Once a value has been placed on each "settled" parcel it would be necessary to publish lists calling upon the registered owners, or persons claiming to derive title from them, to come forward. This need not be done until after the money for payment had become available.

25. The copies of the micro-photographs which are being made by Kodak Limited of London for the United Nations will not be ready until July, 1952. It is understood that the United Kingdom Government, which seems anxious that the individual assessment should proceed as quickly as possible, has suggested that the Commission's land specialist should work in the meantime on the originals

/in London

in London. This does not seem practicable, for when one considers that there are something like a million and a half separate photographs, it is obvious that even just to look at them would be more than one man could cope with. Clearly, an organisation would have to be set up, and it would not be practicable to set it up in London for so short a period. In any case the first task of the land specialist would seem to be the discussions with the Israel Government.

1952

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EASTERN DEPARTMENT

PALESTINE

E E 18210/21

FROM

Mr Coulson.
U.K. Del. New York.
to Mr Wardrop.

No. 1824/18/52P.

Dated

Received in Registry— 1. 5. 52.
6. 5. 52.

Compensation.

Mr Berncastle is being sent out by the Palestine Conciliation Commission to start investigations regarding compensation for refugees.

REFERENCES

EE 18210/20

MINUTES

See -/20 & -/22.

[signature] 13/5

M. Rice Jordan

This is quite satisfactory. See -/22

[signature] 15.5.52.

(Print)

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[signature] 24/5

(Index)

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EE 1824/18/52P.

UNITED KINGDOM DELEGATION
to the UNITED NATIONS
NEW YORK

CONFIDENTIAL --- AIR BAG.

1 May 1952.

EE 18210/21

Dear Wardrop. EE 18210/20

Will you please refer to my letter of 28th April about the Palestine Conciliation Commission? The Commission wound up its present series of meetings yesterday and you will be receiving copies of the communiqué by today's bag. EE 1071/52

2. I lunched with Boisanger immediately after the last meeting and I also saw Ely Palmer again just before he left. This is his last appearance as I gather that the United States Delegation will henceforth represent the United States Government at these meetings. Both Boisanger and Palmer were quite happy at the results of the meetings and seemed to have satisfied each other that there were no important differences of view between their respective governments on the question of compensation. You will see from the communiqué that Berncastle is being sent out at once to set the ball rolling and I gather he has a fairly free hand. I shall try to secure a copy of his actual instructions which were recorded in a letter to him.

3. The question of appointing a representative of the Commission in Jerusalem was left in abeyance. Apparently the Turkish delegate developed unexpectedly strong opposition to the proposal. If it had not been for this, the Americans would probably have given way. Boisanger did not however seem to be unduly perturbed and I imagine that the French will bring the question up again at the next convenient opportunity.

Yours ever, Gordon Campbell

for John Coulson

(J. E. Coulson)

J. C. Wardrop, Esq.,
Eastern Department,
Foreign Office, S. W. 1.

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Compensation for Arab refugees: claims against Israel; report on the Palestine Conciliation Commission contained in its Eleventh Progress Report to the UN Secretary-General; German reparations to Israel. Code EE file 18210 (papers 1 to 21). 1952. MS Refugee Records from the General Correspondence Files of the Political Departments of the Foreign Office, Record Group 371, 1947-1970 FO 371/98518. The National Archives (Kew, United Kingdom).